

PUBLIC NOTICE
LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY (LDEQ)
CLEAN HARBORS BATON ROUGE, LLC
FINAL HAZARDOUS WASTE OPERATING RENEWAL PERMIT

The LDEQ, Office of Environmental Services, has made the decision to issue the final hazardous waste operating renewal permit for Clean Harbors Baton Rouge, LLC, 13351 Scenic Highway, Baton Rouge, Louisiana 70807 for the Baton Rouge Facility. **The facility is located at 13351 Scenic Highway, Baton Rouge, Louisiana, East Baton Rouge Parish.**

Under this final hazardous waste operating renewal permit, Clean Harbors Baton Rouge, LLC will conduct treatment, storage and disposal operations at the Baton Rouge Facility.

The final permitting action and related documents are available for review and copying (all documents copied will be subject to a \$0.25 charge per copied page) at the LDEQ, Public Records Center, Room 127, 602 North 5th Street, Baton Rouge, LA. Viewing hours are from 8:00 a.m. to 4:30 p.m., Monday through Friday (except holidays). **The available information can also be accessed electronically on the Electronic Document Management System (EDMS) on the DEQ public website at www.deq.louisiana.gov.**

An additional copy of this action may be reviewed at East Baton Rouge Parish Library, Scotlandville Branch, 7373 Scenic Highway, Baton Rouge, Louisiana 70807.

In accordance with Louisiana Revised Statutes (La R.S.) 30:2024, the Permittee may file with the secretary a request for a hearing no later than thirty (30) days after the notice of the action is served. Under La. R.S. 30:2050.21, any person aggrieved by a final permit action may appeal to the Nineteenth Judicial District Court within 30 days after the notice of the action has been given.

Previous notices have been published in the The Advocate on July 30 and September 26, 2008.

Inquiries or requests for additional information regarding this permit action, should be directed to Kara Vidrine, LDEQ, Waste Permits Division, P.O. Box 4313, Baton Rouge, LA 70821-4313, phone (225) 219-3061.

Persons wishing to be included on the LDEQ permit public notice mailing list or for other public participation related questions should contact the Public Participation Group in writing at LDEQ, P.O. Box 4313, Baton Rouge, LA 70821-4313, by email at deqmailrequest@la.gov or contact the LDEQ Customer Service Center at (225) 219-LDEQ (219-5337).

Permit public notices including electronic access to the issued permit and associated information can be viewed at the LDEQ permits public notice webpage at www.deq.louisiana.gov/apps/pubNotice/default.asp and general information related to the public participation in permitting activities can be viewed at www.deq.louisiana.gov/portal/tabid/2198/Default.aspx

Alternatively, individuals may elect to receive the permit public notices via email by subscribing to the LDEQ permits public notice List Server at www.doa.louisiana.gov/oes/listservpage/ldeq_pn_listserv.htm

All correspondence should specify AI Number 1516, Permit Number LAD 010 395 127, and Activity Number PER20010003.

Scheduled Publication Date: December 29, 2008

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Scheduled Publication Date: December 29, 2008

SIGNATURE PAGE

FINAL
LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY
OPERATING RENEWAL PERMIT
FOR HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL (TSD)
CLEAN HARBORS BATON ROUGE, LLC

PERMITTEE: CLEAN HARBORS BATON ROUGE, LLC

PERMIT NUMBER: LAD 010 395 127-OP-RN-1
Agency Interest # 1516
PER# 20010003

FACILITY 13351 SCENIC HIGHWAY (U.S. 61)
LOCATION: POST OFFICE BOX 74137
BATON ROUGE, LOUISIANA 70807-4137

This permit is issued by the Louisiana Department of Environmental Quality (LDEQ) under the authority of the Louisiana Hazardous Waste Control Law R.S. 30:2171 et seq., and the regulations adopted thereunder and the 1984 Hazardous and Solid Waste Amendments (HSWA) to the Resource Conservation and Recovery Act (RCRA), to Clean Harbors Baton Rouge, LLC, (hereafter called the Permittee), to operate a hazardous waste treatment, storage and limited landfill disposal (Landfill 904) facility located at Baton Rouge, Louisiana at latitude 30° 34' north and longitude 90° 13' west.

This renewal applies to the hazardous waste operating permit that became effective on March 21, 1991, issued to the former Rollins Environmental Services (LA), Inc.

For the purposes of this permit, the "Administrative Authority" shall be the Secretary of the Louisiana Department of Environmental Quality, or his/her designee.

The Permittee must comply with all terms and conditions of this permit. This permit consists of the conditions contained herein and the applicable regulations as specified in the permit. Applicable regulations are those which are in effect on the date of issuance of this permit.

This permit is based on the assumption that the information provided to LDEQ by the Permittee is accurate. Further, this permit is based in part on the provisions of Sections 206, 212, and 224 of HSWA of 1984, which modify Sections 3004 and 3005 of RCRA. In particular, Section 206 requires corrective action for all releases of hazardous waste or constituents from any solid waste management unit at a treatment, storage or disposal facility seeking a permit, regardless of the time at which waste was placed in such unit.


Section 212 provides authority to review and modify the permit at any time. Any inaccuracies found in the submitted information may be grounds for the termination, modification or revocation and reissuance of this permit (see LAC 33:V.323) and potential enforcement action.

The Permittee must inform the LDEQ of any deviation from or changes in the information in the application which would affect the Permittee's ability to comply with the applicable regulations or permit conditions.

This renewed permit shall be effective as of January 29, 2009, and shall remain in effect until January 29, 2019, unless revoked and reissued, modified or terminated in accordance with the LAC 33:V.323 and 705 of the Louisiana Hazardous Waste Regulations. The Administrative Authority may issue any permit for a duration that is less than the maximum term of ten (10) years and the term shall not be extended beyond the maximum duration by modification in accordance with LAC 33:V.315.

Provisions of this permit may be appealed in writing pursuant to La. R.S. 30:2024(A) within thirty (30) days from receipt of the permit. Only those provisions specifically appealed will be suspended by a request for hearing, unless the secretary or the assistant secretary elects to suspend other provisions as well. A request for hearing must be sent to the following:

Louisiana Department of Environmental Quality
Office of the Secretary
Attention: Hearing Clerk, Legal Services Division
Post Office Box 4302
Baton Rouge, Louisiana 70821-4302


Cheryl Sonnier Nolan, Assistant Secretary
Louisiana Department of Environmental Quality

19 Dec 2008
Date

PART A

United States Environmental Protection Agency
HAZARDOUS WASTE PERMIT INFORMATION FORM

1. Facility Permit Contact (See Instructions on Page 23)	First Name: William	MI:	Last Name: Clark																	
	Phone Number: 225-778-1234		Phone Number Extension: 3585																	
2. Facility Permit Contact Mailing Address (See Instructions on Page 23)	Street or P.O. Box: 13351 Scenic Highway																			
	City, Town, or Village: Baton Rouge																			
	State: Louisiana																			
	Country: United States		Zip Code: 70807																	
3. Operator Mailing Address and Telephone Number (See instructions on page 23)	Street or P.O. Box: 13351 Scenic Highway																			
	City, Town, or Village: Baton Rouge																			
	State: Louisiana																			
	Country: United States	Zip Code: 70807	Phone Number 225-778-1234																	
4. Legal Owner Mailing Address and Telephone Number (See instructions on page 23)	Street or P.O. Box: 13351 Scenic Highway																			
	City, Town, or Village: Baton Rouge																			
	State: Louisiana																			
	Country: United States	Zip Code: 70807	Phone Number 225-778-1234																	
Facility Existence Date (See Instructions On page 24)	Facility Existence Date (mm/dd/yyyy): 01/17/1971																			
6. Other Environmental Permits (See instructions on page 24)																				
A. Permit Type (Enter code)	B. Permit Number										C. Description									
N	L	A	0	0	3	8	2	4	5							LPDES				
P	0	8	4	0	0	0	0	1	9	0	3					CONSOLIDATED AIR				
P	2	5	2	8												SMALL SOURCE AIR				
R	L	A	D	0	1	0	3	9	5	1	2	7				RCRA HAZARDOUS WASTE				
E	G	T	D	2	1	4										STATE (LA) HAZARDOUS WASTE				
7. Nature of Business (Provide a brief description; see instructions on page 24)																				
Treat, store and/or dispose hazardous and non-hazardous wastes generated by contracted companies																				

Process Codes and Design Capacities (See instructions on page 24) - Enter information in the Sections on Form Page 3.

A. PROCESS CODE - Enter the code from the list of process codes in the table below that best describes each process to be used at the facility. Fifteen lines are provided for entering codes. If more lines are needed, attach a separate sheet of paper with the additional information. For "other" processes (i.e., D99, S99, T04 and X99), enter the process information in Item 9 (including a description).

B. PROCESS DESIGN CAPACITY - For each code entered in Section A, enter the capacity of the process.

1. AMOUNT - Enter the amount. In a case where design capacity is not applicable (such as in a closure/post-closure or enforcement action) enter the total amount of waste for that process.

2. UNIT OF MEASURE - For each amount entered in Section B(1), enter the code in Section B(2) from the list of unit of measure codes below that describes the unit of measure used. Select only from the units of measure in this list.

C. PROCESS TOTAL NUMBER OF UNITS - Enter the total number of units for each corresponding process code.

Process Code	Process	Appropriate Units of Measure For Process Design Capacity	Process Code	Process	Appropriate Units of Measure For Process Design Capacity
D79	<u>Disposal:</u> Underground Injection Well Disposal	Gallons; Liters; Gallons Per Day; or Liters Per Day	T81	<u>Treatment (continued):</u> Cement Kilo	For T81-T93:
D80	Landfill	Acre-feet; Hectare-meter; Acres; Cubic Meters; Hectares; Cubic Yards	T82	Lime Kilo	
D81	Land Treatment	Acres or Hectares	T83	Aggregate Kilo	Gallons Per Day; Liters Per Day; Pounds Per Hour; Short Tons Per Hour; Kilograms Per Hour; Metric Tons Per Day; Metric Tons Per Hour
D82	Ocean Disposal	Gallons Per Day or Liters Per Day	T84	Phosphate Kilo	
D83	Surface Impoundment Disposal	Gallons; Liters; Cubic Meters; or Cubic Yards	T85	Coke Oven	Hour; Short Tons Per Day; Btu Per Hour; Liters Per Hour; Kilograms Per Hour; or Million Btu Per Hour
D99	Other Disposal	Any Unit of Measure in Code Table Below	T86	Blast Furnace	
S01	<u>Storage:</u> Container	Gallons; Liters; Cubic Meters; or Cubic Yards	T87	Smelting, Melting, or Refining Furnace	
S02	Tank Storage	Gallons; Liters; Cubic Meters; or Cubic Yards	T88	Titanium Dioxide	
S03	Waste Pile	Cubic Yards or Cubic Meters	T89	Chloride Oxidation Reactor	
S04	Surface Impoundment Storage	Gallons; Liters; Cubic Meters; or Cubic Yards	T90	Methane Reforming Furnace	
S05	Drip Pad	Gallons; Liters; Acres; Cubic Meters; Hectares; or Cubic Yards	T91	Pulping Liquor Recovery Furnace	
S99	Containment Building Storage Other Storage	Cubic Yards or Cubic Meters Any Unit of Measure in Code Table Below	T92	Combustion Device Used In The Recovery Of Sulfur Values From Spent Sulfuric Acid	
T01	<u>Treatment:</u> Tank Treatment	Gallons Per Day; Liters Per Day	T93	Halogen Acid Furnaces	
T02	Surface Impoundment Treatment	Gallons Per Day; Liters Per Day	T94	Other Industrial Furnaces Listed In 40 CFR §260.10	
T03	Incinerator	Short Tons Per Hour; Metric Tons Per Hour; Gallons Per Hour; Liters Per Hour; Btu Per Hour; Pounds Per Hour; Short Tons Per Day; Kilograms Per Hour; Gallons Per Day; Liters Per Day; Metric Tons Per Hour; or Million Btu Per Hour	T94	Containment Building - Treatment	Cubic Yards; Cubic Meters; Short Tons Per Hour; Gallons Per Hour; Liters Per Hour; Btu Per Hour; Pounds Per Hour; Short Tons Per Day; Kilograms Per Hour; Metric Tons Per Day; Gallons Per Day; Liters Per Day; Metric Tons Per Hour; or Million Btu Per Hour
T04	Other Treatment	Gallons Per Day; Liters Per Day; Pounds Per Hour; Short Tons Per Hour; Kilograms Per Hour; Metric Tons Per Day; Metric Tons Per Hour; Short Tons Per Day; Btu Per Hour; Gallons Per Day; Liters Per Hour; or Million Btu Per Hour	X01	<u>Miscellaneous (Subpart X):</u> Open Burning/Open Detonation	Any Unit of Measure in Code Table Below
T80	Boiler	Gallons; Liters; Gallons Per Hour; Liters Per Hour; Btu Per Hour; or Million Btu Per Hour	X02	Mechanical Processing	Short Tons Per Hour; Metric Tons Per Hour; Short Tons Per Day; Metric Tons Per Day; Pounds Per Hour; Kilograms Per Hour; Gallons Per Hour; Liters Per Hour; or Gallons Per Day
			X03	Thermal Unit	Gallons Per Day; Liters Per Day; Pounds Per Hour; Short Tons Per Hour; Kilograms Per Hour; Metric Tons Per Day; Metric Tons Per Hour; Short Tons Per Day; Btu Per Hour; or Million Btu Per Hour
			X04	Geologic Repository	Cubic Yards; Cubic Meters; Acre-feet; Hectare-meter; Gallons; or Liters
			X99	Other Subpart X	Any Unit of Measure Listed Below

UNIT OF MEASURE	UNIT OF MEASURE CODE	UNIT OF MEASURE	UNIT OF MEASURE CODE	UNIT OF MEASURE	UNIT OF MEASURE CODE
Gallons.....	G	Short Tons Per Hour.....	D	Cubic Yards.....	Y
Gallons Per Hour.....	E	Metric Tons Per Hour.....	W	Cubic Meters.....	C
Gallons Per Day.....	U	Short Tons Per Day.....	N	Acres.....	B
rs.....	L	Metric Tons Per Day.....	S	Acre-feet.....	A
rs Per Hour.....	H	Pounds Per Hour.....	J	Hectares.....	Q
rs Per Day.....	V	Kilograms Per Hour.....	R	Hectare-meter.....	F
		Million Btu Per Hour.....	X	Btu Per Hour.....	I

EXAMPLE FOR COMPLETING item 8 (shown in line number X-1 below): A facility has a storage tank, which can hold 533,788 gallons

NOTE: If you need to list more than 15 process codes, attach an additional sheet(s) with the information in the same format above. Number the lines sequentially, taking into account any lines that will be used for "other" processes (i.e., D99, S99, T04 and X99) in Item 9.

[illegible]

10. Description of Hazardous Wastes (See instructions on page 25) - Enter information in the Sections on Form Page 5.

- A. EPA HAZARDOUS WASTE NUMBER** - Enter the four-digit number from 40 CFR, Part 261 Subpart D of each listed hazardous waste you will handle. For hazardous wastes which are not listed in 40 CFR, Part 261 Subpart D, enter the four-digit number(s) from 40 CFR Part 261, Subpart C that describes the characteristics and/or the toxic contaminants of those hazardous wastes.
- B. ESTIMATED ANNUAL QUANTITY** - For each listed waste entered in Section A, estimate the quantity of that waste that will be handled on an annual basis. For each characteristic or toxic contaminant entered in Section A, estimate the total annual quantity of all the non-listed waste(s) that will be handled which possess that characteristic or contaminant.
- C. UNIT OF MEASURE** - For each quantity entered in Section B, enter the unit of measure code. Units of measure which must be used and the appropriate codes are:

ENGLISH UNIT OF MEASURE	CODE	METRIC UNIT OF MEASURE	CODE
POUNDS	P	KILOGRAMS	K
TONS	T	METRIC TONS	M

If facility records use any other unit of measure for quantity, the units of measure must be converted into one of the required units of measure, taking into account the appropriate density or specific gravity of the waste.

D. PROCESSES**1. PROCESS CODES:**

For listed hazardous waste: For each listed hazardous waste entered in Section A, select the code(s) from the list of process codes contained in Items 8A and 9A on page 3 to indicate all the processes that will be used to store, treat, and/or dispose of all the listed hazardous wastes. For non-listed hazardous waste: For each characteristic or toxic contaminant entered in Section A, select the code(s) from the list of process codes contained in Items 8A and 9A on page 3 to indicate all the processes that will be used to store, treat, and/or dispose of all the non-listed hazardous wastes that possess that characteristic or toxic contaminant.

NOTE: THREE SPACES ARE PROVIDED FOR ENTERING PROCESS CODES. IF MORE ARE NEEDED:

1. Enter the first two as described above.

2. Enter "000" in the extreme right box of Item 10.D(1).

3. Use additional sheet, enter line number from previous sheet, and enter additional code(s) in Item 10.E.

2. PROCESS DESCRIPTION: If a code is not listed for a process that will be used, describe the process in Item 10.D(2) or in Item 10.E(2).

NOTE: HAZARDOUS WASTES DESCRIBED BY MORE THAN ONE EPA HAZARDOUS WASTE NUMBER - Hazardous wastes that can be described by more than one EPA Hazardous Waste Number shall be described on the form as follows:

1. Select one of the EPA Hazardous Waste Numbers and enter it in Section A. On the same line complete Sections B, C and D by estimating the total annual quantity of the waste and describing all the processes to be used to treat, store, and/or dispose of the waste.

2. In Section A of the next line enter the other EPA Hazardous Waste Number that can be used to describe the waste. In Section D(2) on that line enter "included with above" and make no other entries on that line.

3. Repeat step 2 for each EPA Hazardous Waste Number that can be used to describe the hazardous waste.

EXAMPLE FOR COMPLETING Item 10 (shown in line numbers X-1, X-2, X-3, and X-4 below) - A facility will treat and dispose of an estimated 900 pounds per year of chrome shavings from leather tanning and finishing operations. In addition, the facility will treat and dispose of three non-listed wastes. Two wastes are corrosive only and there will be an estimated 200 pounds per year of each waste. The other waste is corrosive and ignitable and there will be an estimated 100 pounds per year of that waste. Treatment will be in an incinerator and disposal will be in a landfill.

Line Number		A. EPA Hazardous Waste No. (Enter code)				B. Estimated Annual Quantity of Waste	C. Unit of Measure (Enter code)	D. PROCESSES									
								(1) PROCESS CODES (Enter code)									
X	1	K	0	5	4	900	P	T	0	3	D	8	0				
X	2	D	0	0	2	400	P	T	0	3	D	8	0				
X	3	D	0	0	1	100	P	T	0	3	D	8	0				
X	4	D	0	0	2												Included With Above

Table 1
Hazardous Waste Facility Summary

	Container Storage	Tanks	Landfill	Treatment	Other
<u>Storage Facilities</u>					
West Container Storage Area	X				
Direct Burn Pads Storage Area		X			
Dolly-Down Container Storage Area	X				
TSF Container Storage Area	X				
<u>Storage/Treatment Facilities</u>					
Stabilization and Repacking Building					
Container Storage/Processing Area	X			X	
Processing Tank 7002		X		X	
<u>LANDFILL</u>					
Leachate Collection Tank(1) (T-6039)		X			
<u>Landfill Area</u>					
Cell 904 (North Half Closed With South Half Active)			X		

**Table 2
Maximum Waste Inventory**

	Existing Capacity (gallons)
Storage Facilities	
West Container Storage Area	188,100
Direct Burn Pad Container Storage Area	73,920
Dolly-Down Container Storage Area	168,000
TSF Container Storage Area	320,760
Subtotal:	750,780
Storage/Treatment Facilities	
Stabilization and Repacking Building	
Container Storage/Processing Area	24,640
Processing Tank 7002	55,000
Subtotal:	79,640
Landfill	
Leachate Collection Tank(1) (T-6039)	12,000
Grand Total	842,420

Table 1
Phase I - Closure of Operating Area, Landfill and Associated Facilities

Facility	Number of Units	Capacity of Unit	Maximum Waste Inventory	
			Liquids (gallons)	Solids (tons)
Storage Facilities				
West Container Storage Area	5	188,100	169,290	93
Direct Burn Pad Container Storage Area	2	73,920	66,528	38
Dolly-Down Container Storage Area	1	168,000	151,200	84
TSF Container Storage Area	1	320,760	288,684	159
(note: 48% of the liquids will be amenable to Wastewater Treatment. The remaining 52% will be incinerated)				
(note: 50% of the solids will be landfilled offsite. The remaining 50% will be incinerated)				
Storage/Treatment Facilities				
Stabilization and Repacking Building				
Container Storage/Processing Area	1	24,640	22,176	12.5
Processing Tank 7002		1	55,000	27.5
(note: 100% of the containers and tank volume will be stabilized and landfilled)				
LANDFILL				
Landfill Area				
Cell 904 (North Half Closed With South Half Active)	1	2.5 acre	N/A	N/A
Other Facilities for Phase I Closure				
Railcar Unloading Containment Area (non-RCRA unit)	1	40,000	N/A	N/A
ASB-2 (non-RCRA unit)	1	224,590	N/A	N/A
TOTAL Phase I:			747,378	414
Clean Harbors Baton Rouge LLC				
LAD010395127				
Appendix L- Table 3				
01/05/08				

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LIST OF ATTACHMENTS

ATTACHMENT 1.....	LIST OF FACILITY DOCUMENTS INCORPORATED IN PERMIT BY REFERENCE
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BODY OF PERMIT

**FINAL
HAZARDOUS WASTE OPERATING RENEWAL PERMIT**

**CLEAN HARBORS BATON ROUGE, LLC
TREATMENT, STORAGE AND DISPOSAL
EPA ID# LAD 010 395 127
BATON ROUGE, LOUISIANA
EAST BATON ROUGE PARISH**

**Agency Interest #1516
PER# 20010003
Permit Number LAD 010 395 127-OP-RN-1**

For

CONTAINER STORAGE AREAS

TSF

Pad A-E

North Burn

South Burn

Dolly Down

Stabilization and Encapsulation (S&E) Building

TANKS

Tank TK-7002

Tank TK-6039

LANDFILL CELL

904

I. PERMIT PREAMBLE

This permit is issued to Clean Harbors Baton Rouge, LLC hereinafter referred to as the Permittee, by the Louisiana Department of Environmental Quality (LDEQ) under authority of the Louisiana Hazardous Waste Control Law, R. S. 30:2171 et seq., and the regulations adopted thereunder, and by the United States Environmental Protection Agency (EPA) under the authority of the 1984 Hazardous and Solid Waste Amendments (HSWA) to the Resource Conservation and Recovery Act (RCRA).

For the purposes of this permit, "Administrative Authority" shall mean the Secretary of the LDEQ or his/her designee.

This permit is based on information submitted in the permit application, and all subsequent amendments, and on the applicant's certification that such information is accurate and that all facilities will be constructed, operated and maintained as specified in the application.

This permit is conditioned upon full compliance with all applicable provisions of the Louisiana Hazardous Waste Control Law, R. S. 30:2171 et seq., and the regulations adopted thereunder.

All definitions contained in this permit shall have the meaning as defined in the Louisiana Administrative Code (LAC), Title 33, Part V, Subpart 1 unless otherwise stated herein.

All regulating citations are defined as being the regulation in effect on the date of issuance of this Permit. New and/or amended regulations are not included as Permit requirements until Permit modification procedures as specified in Condition II.C of this Permit are completed.

GLOSSARY OF TERMS

For the purpose of this permit, terms used herein shall have the same meaning as those in LAC 33:V.Subpart 1 unless the context of use in this permit clearly indicates otherwise. Where terms are not otherwise defined, the meaning otherwise associated with such terms shall be as defined by a standard dictionary reference or the generally accepted scientific or industrial meaning of the term.

"Administrative Authority" means the secretary of the Department of Environmental Quality (LDEQ) or his designee or the appropriate assistant secretary or his designee.

"Application" refers to the RCRA Part B Permit Application and subsequent amendments submitted by the Permittee for obtaining a Permit.

"Area of Concern" (AOC) means any discernable unit or area, which, in the opinion of the Administrative Authority, may have received solid or hazardous waste or waste containing hazardous constituents at any time. The Administrative Authority may require investigation of the unit to determine if it is a Solid Waste Management Unit (SWMU). If shown to be a SWMU by the investigation, the AOC must be reported by the Permittee as a newly identified SWMU. If the AOC is shown not to be a SWMU by the investigation, the Administrative Authority may determine that no further action is necessary and notify the Permittee in writing.

"Area of Investigation" (AOI) is a zone contiguous to and including impacted media defined vertically and horizontally by the presence of one or more constituents in concentrations exceeding the limiting SS, MO-1 RS, or MO-2 RS (depending on the option being implemented).

"Constituents of Concern" (COC) means the COPC's that pose a significant risk.

"Constituents of Potential Concern" (COPC) means chemicals from hazardous waste and hazardous waste constituents that are potentially site related and have data of quality for use in the Screen or site-specific risk assessment. The facility should compile a list of COPC's for each release site based on existing sampling data, waste analysis reports, etc.

"Conceptual Site Model" (CSM) is part of the Data Quality Objective (DQO) process that presents a three-dimensional picture of site conditions at a discrete point in time that conveys what is known about the facility, releases mechanisms, containment fate and exposure pathways, potential receptors, and risks. The information for the CSM is documented into six (6) profiles. The CSM evolves as data gaps in the profiles become more complete, and will be refined based upon results of site characterization data. The final CSM is documented in the Risk Management Plan (RMP).

"CAS" means Corrective Action Strategy.

"CFR" means the Code of Federal Regulations.

"CWA" means Clean Water Act.

"Corrective Action" is an activity conducted to protect human health and the environment.

"Department" means the Louisiana Department of Environmental Quality (LDEQ).

"EPA" means the United States Environmental Protection Agency.

"HSWA" means the 1984 Hazardous and Solid Waste Amendments to RCRA.

"Hazardous constituent" means any constituent identified in LAC 33:V.Chapter 31. Table 1, or any constituent identified in LAC 33:V.3325. Table 4.

"LDEQ" means the Louisiana Department of Environmental Quality.

"LELAP" means the Louisiana Environmental Laboratory Accreditation Program.

"Operating record" means written or electronic records of all maintenance, monitoring, inspection, calibration, or performance testing or other data as may be required--to demonstrate compliance with this Permit, document noncompliance with this Permit, or document actions taken to remedy noncompliance with this Permit. A minimum list of documents that must be included in the operating record are identified at LAC 33:V.1529.b.

"Permittee" means Clean Harbors Baton Rouge, LLC, 13351 Scenic Highway, Baton Rouge, Louisiana 70807.

"RCRA Permit" means the full permit, with the Resource Conservation and Recovery Act (RCRA) and 1984 Hazardous and Solid Waste Amendments (HSWA) to RCRA portions.

"RFA" means RCRA Facility Assessment.

"RFI" means RCRA Facility Investigation.

"Release" means any spilling, leaking, pouring, emitting, emptying, discharging, injecting, pumping, escaping, leaching, dumping or disposing of hazardous wastes (including hazardous constituents) into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles containing hazardous wastes or hazardous constituents).

“SARA” means Superfund Amendments and Reauthorization Action of 1985.

“Solid Waste Management Unit” (SWMU) mean any discernable unit at which solid wastes have been placed at any time, irrespective of whether the unit was intended for the management of solid or hazardous waste. Such units include any area at a facility at which solid wastes have been routinely and systematically released.

“Stabilization” is an action taken for the purpose of controlling or abating threats to human health or the environment from releases or preventing or minimizing the further spread of contaminants while long-term remedies are pursued.

If, subsequent to the issuance of this Permit, regulations are promulgated which redefine any of the above terms, the Administrative Authority may, at its discretion, apply the new definition to this Permit.

II. GENERAL PERMIT CONDITIONS

II.A. DURATION OF PERMIT

This permit is effective as of the date indicated on the accompanying signature page and shall remain in effect for a period of ten (10) years from the effective date of the first issuance of the final decision, unless suspended, modified, revoked and reissued or terminated for just cause.

II.B. EFFECT OF PERMIT

This permit authorizes the Permittee to store, treat and dispose of hazardous waste in accordance with the conditions of this permit. The Permittee is prohibited from any storage, treatment or disposal of hazardous waste not authorized by statute, regulation or this permit. Compliance with this permit, LAC 33:V.Subpart 1 and HSWA, constitutes compliance for purposes of enforcement, with Subtitle C of RCRA and Chapter 9 of the Louisiana Environmental Quality Act (Act). However, compliance with the terms of this permit does not constitute a defense to any order issued or any action brought under Section 3013 or Section 7003 of RCRA, or under Section 106(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 {42 U.S.C. 9606 (a)}.

In accordance with LAC 33:V.307.B and C, issuance of this permit does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of state or local laws or regulations.

II.C. PERMIT ACTIONS

Any inaccuracies found in the permit application may be cause for revocation or modification of this permit. The Permittee must inform the Administrative Authority of any deviation from, changes in, or inaccuracies in the information in the permit application.

The Administrative Authority may suspend, modify, revoke and reissue, or terminate the permit for cause or when necessary to be protective of human health or the environment as specified in 40 CFR 270.41, 270.42, 270.43 or the LAC 33:V.309.F, 311.A, or 323. The Administrative Authority may modify the permit when the standards or regulations on which the permit was based have been changed by promulgation of amended standards or regulations or by judicial decision after the permit was issued. The filing of a request for permit modification, revocation and reissuance, or termination or a notification of planned changes or anticipated noncompliance on the part of the Permittee does not stay the applicability or enforceability of any permit condition.

II.D. SEVERABILITY

The conditions of this permit are severable and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.

II.E. DUTIES AND REQUIREMENTS

II.E.1. Duty to Comply

The Permittee shall comply with all conditions of this permit, except to the extent and for the duration such noncompliance may be authorized by an emergency permit. Any permit noncompliance, other than noncompliance authorized by an emergency permit (LAC 33:V.701), constitutes a violation of the LAC 33:V. Subpart 1 and the Act is grounds for enforcement action which may include permit termination, permit revocation and reissuance, permit modification, or denial of a permit renewal application.

II.E.2. Duty to Reapply

If the Permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the Permittee must reapply for the permit as required by LAC 33:V.303.N and 309.B. Notification shall be at least 180 calendar days before the permit expires.

II.E.3. Permit Extension

This permit and all conditions herein will remain in effect beyond the permit's expiration date until the Administrative Authority issues a final decision on the re-application, provided the Permittee has submitted a timely, complete new permit application as provided in the LAC 33:V.309.B and 315.A.

II.E.4. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

II.E.5. Duty to Mitigate

The Permittee shall immediately take all reasonable steps to minimize or

correct any adverse impact on the environment resulting from noncompliance with the conditions of this permit as required by the LAC 33:V.309.D.

II.E.6. Proper Operation and Maintenance

The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related ancillary equipment and/or appurtenances) that are installed or used by the Permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.

II.E.7. Duty to Provide Information

The Permittee shall furnish to the Administrative Authority, within a reasonable time, any information which the Administrative Authority may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The Permittee shall also furnish to the Administrative Authority upon request, copies of records required to be kept by this permit and in accordance with LAC 33:V.309.H.

II.E.8. Inspection and Entry

The Permittee shall allow the Administrative Authority or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

- II.E.8.a. enter upon the Permittee's premises where a regulated activity is located or conducted, or where records must be maintained under the conditions of this permit;
- II.E.8.b. have access to and copy, at reasonable times, any records that must be maintained under the conditions of this permit;
- II.E.8.c. inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

- II.E.8.d. sample or monitor, at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Administrative Authority any substances or parameters at any location.

II.E.9. Monitoring and Records

- II.E.9.a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. The method used to obtain a representative sample of the waste to be analyzed must be the appropriate method from Appendix I of 40 CFR Part 261. Laboratory methods must be those specified in Test Methods for Evaluating Solid Waste: Physical/Chemical Methods, "SW-846", latest version; Manual of Ground Water Quality Sampling Procedures, 1981, EPA-600/2-81-160, as revised; Procedures Manual for Ground Water Monitoring at Solid Waste Disposal Facilities, 1977, EPA-530/SW-611, as revised; or an equivalent method; or an equivalent method as specified in the attached Waste Analysis Plan as referenced in Attachment I.

- II.E.9.b. Records of monitoring information shall include:

- II.E.9.b.i. the date, exact place, and time of sampling or measurements;
- II.E.9.b.ii. the name(s) and signature(s) of the individual(s) who performed the sampling or measurements;
- II.E.9.b.iii. the date(s) analyses were performed;
- II.E.9.b.iv. the name(s) and signature(s) of the individual(s) who performed the analysis;
- II.E.9.b.v. the analytical techniques or methods used; and
- II.E.9.b.vi. the results of such analyses; and
- II.E.9.b.vii. associated quality assurance performance data.

II.E.9.c. Laboratory Quality Assurance/Quality Control

In order to ensure the accuracy, precision and reliability of data generated for use, the Permittee shall submit a statement, certified as specified in LAC 33:V.513 and included in the annual report,

indicating that:

- II.E.9.c.i.** Any commercial laboratory providing analytical results and test data to the Department required by this permit is accredited by the Louisiana Environmental Laboratory Accreditation Program (LELAP) in accordance with LAC 33:V.I.Subpart 3, Chapter 45. Laboratory data generated by commercial laboratories not accredited under LELAP will not be accepted by the Department.

LAC 33:I.Subpart 3 (Chapters 45-49) provides requirements for accreditation program. Regulation and a list of labs that have applied for accreditation are available on the LDEQ website located at: <http://www.deq.louisiana.gov/portal/tabid/2412/Default.aspx>.

In accordance with LAC 33:V. 4501, the requirements for LELAP accreditation apply whenever data is:

- submitted on behalf of a facility;
- required as part of a permit application;
- required by order of the LDEQ;
- required to be included in a monitoring report submitted to the LDEQ;
- required to be submitted by contract; or
- otherwise required by the LDEQ regulations.

- II.E.9.c.ii.** If the Permittee decides to use its own in-house laboratory for test and analysis, the laboratory is not required to be accredited by LELAP. However, the laboratory must document quality assurance/quality control procedures that are commensurate with requirements in LAC 33:I.Subpart 3, Laboratory Accreditation.

- II.E.9.c.iii.** For approval of equivalent testing or analytical methods, the Permittee may petition for a regulatory amendment under LAC 33:V.105.I and LAC 33:I.Chapter 9. In cases where an approved methodology for a parameter/analyte is not available or listed, a request to utilize an alternate method shall be submitted to the Administrative Authority for approval. Documentation must be submitted to the LDEQ that will verify that the results obtained from the alternate method are equal to or better than those obtained from EPA-

accepted methods, as well as those deemed equivalent by the LDEQ.

II.E.10. Retention of Records

The Permittee shall maintain records through the active life of the facility (including operation, closure and post-closure periods) as required by LAC 33:V.309.J and LAC 33:V.1529.A, B, and C. All records, including plans, must be furnished upon request and made available at all reasonable times as required by LAC 33:V.1529.C. File copies shall be kept for LDEQ Inspection for a period of not less than three (3) years as required by LAC 33:V.317.B.

The Permittee shall, for the life of the facility, maintain records of all data used to complete the application for this permit and any supplemental information submitted under the Louisiana Hazardous Waste Control Law (LA. R.S. 30:2171 et seq.).

II.E.11. Notices of Planned Physical Facility Changes

The Permittee shall give notice to the Administrative Authority, as soon as possible, of any planned physical alterations or additions to the permitted facility, in accordance with LAC 33:V.309.L.1.

II.E.12. Physical Facility after Modification

For any new or existing unit being modified, the Permittee may not treat, store, or dispose of hazardous waste in modified portion of the unit until the unit is complete and:

- II.E.12.a.** The Permittee has submitted to the Administrative Authority, by certified mail or hand delivery, a letter signed by the Permittee and a registered professional engineer stating that the unit is complete and has been constructed or modified in compliance with the permit; and
- II.E.12.b.** The Administrative Authority has inspected the new or modified unit following a request to make a final inspection by the Permittee as required by LAC 33:V.303.I, and finds it is in compliance with the conditions of the permit and all applicable sections of LAC 33:V.Subpart 1, and has issued an Order to Proceed. The Permittee may then commence treatment, storage, or disposal of hazardous waste.

II.E.13. Anticipated Noncompliance

The Permittee shall give advance notice to the Administrative Authority of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements.

II.E.14. Transfer of Permits

This permit may be transferred to a new owner or operator with written approval by the Administrative Authority and if it is modified or revoked and reissued pursuant to the LAC 33:V.309.L.4, 321.B, 321.C.4, 1531.D and LAC 33:I.Chapter 19.

The Permittee's failure to notify the new owner or operator of the requirements of LAC 33:V.Subpart 1 and LAC 33:I.Chapter 19 in no way relieves the new owner or operator of his obligation to comply with all applicable requirements.

Changes in the ownership or operational control of a facility shall be made with written notification to the Office of Environmental Services. The new owner or operator shall submit a Name/Ownership/Operator Change Form (NOC-1 Form) prior to or no later than forty-five (45) days after the change. The Administrative Authority may initiate action to terminate or revoke an existing media permit for a failure to disclose a change of ownership or operational control within forty-five (45) days after the change, in accordance with LAC 33:I.1909.B. The previous Permittee and the new Permittee must comply with all applicable requirements of LAC 33:I.1909.

II.E.15. Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than fourteen (14) days following each schedule date as required by LAC 33:V.309.L.6.

II.E.16. Emergency Unauthorized Discharge Notification

In accordance with LAC 33:I.3915, in the event of an unauthorized discharge that results in an emergency condition (an emergency condition is any condition which could be reasonably expected to endanger the health and safety of the public, cause significant adverse impact to the land, water, or air environment, or cause severe damage to property), the Permittee shall notify the DPS (Department of Public Safety) 24-hour Louisiana Emergency Hazardous Materials Hotline by telephone at (225) 925-6595 immediately, but in no case later than one (1) hour after learning

of the discharge. The DPS 24-hour Louisiana Emergency Hazardous Materials Hotline will subsequently notify the Department regarding the details of the discharge.

II.E.17. Non-Emergency Unauthorized Discharge Notification

In accordance with LAC 33:I.3917, in the event of an unauthorized discharge that exceeds a reportable quantity specified in LAC 33:I.Chapter 39.Subchapter E and/or results in contamination of the ground waters of the state but does not result in an emergency condition, the Permittee shall promptly notify the Department within twenty-four (24) hours after learning of the discharge. Notification shall be made to the Office of Environmental Compliance, Emergency and Radiological Services Division, Single Point of Contact (SPOC) in accordance with the procedure and content requirements specified in LAC 33:I.3923.

II.E.18. Unauthorized Discharge to Groundwater Notification

In accordance with LAC 33:I.3919, in the event of an unauthorized discharge resulting in contamination of groundwaters of the state by moving in, into, within or on any saturated subsurface strata, the Permittee shall notify the Office of Environmental Compliance, Emergency and Radiological Services Division, SPOC within seven (7) days after learning of the discharge.

II.E.19. Written Notification Reports for Unauthorized Discharges

The Permittee shall submit written reports for any unauthorized discharge that requires notification, under Conditions, II.E.16., II.E.17. and II.E.18. of this permit, to the SPOC within seven (7) calendar days after notification required by Conditions II.16 through II.18, in accordance with LAC 33:I.3925.

II.E.20. Noncompliance Reporting

The Permittee shall report orally within twenty-four (24) hours any noncompliance with the permit not reported under Conditions II.E.16, II.E.17 and II.E.18 for confirmed releases to the groundwater that may endanger human health or the environment. This report shall include the following:

II.E.20.a. information concerning the release of any hazardous waste that may endanger public drinking water supplies; and

II.E.20.b. information concerning the release or discharge of any hazardous waste, or of a fire or explosion at the facility,

that could threaten the environment or human health outside the facility. The description of the occurrence and its cause shall include:

- II.E.20.b.i. the name, address, and telephone number of the owner or operator;
- II.E.20.b.ii. the name, address, and telephone number of the facility;
- II.E.20.b.iii. the date, time, and type of incident;
- II.E.20.b.iv. the name and quantity of materials involved;
- II.E.20.b.v. the extent of injuries, if any;
- II.E.20.b.vi. an assessment of actual or potential hazards to the environment and human health outside the facility, where this is applicable; and
- II.E.20.b.vii. the estimated quantity and disposition of recovered material that resulted from the incident.

II.E.21. Follow-up Written Report of Noncompliance

The Permittee shall also provide a written submission within five (5) days after the time the Permittee becomes aware of any noncompliance which may endanger human health or the environment. However, where more immediate submission is required by LAC 33:I.Chapter 39, "Notification Regulations and Procedures for Unauthorized Discharges", the report shall be submitted in accordance with those regulations. The written submission shall contain a description of the noncompliance and its cause; the periods of noncompliance including exact dates and times; whether the noncompliance has been corrected; and if not, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. If the Administrative Authority waives the requirement, then the Permittee submits a written report within fifteen (15) calendar days after the time Permittee becomes aware of the circumstances, as required by LAC 33:V.309.L.7.d.

II.E.22. Other Noncompliance

The Permittee shall report all other instances of noncompliance not otherwise required to be reported above, at the time required monitoring reports are submitted. The reports shall contain the information listed in Condition II.E.20.

II.E.23. Other Information

Whenever the Permittee becomes aware that it failed to submit any relevant facts in the permit application, or that it submitted incorrect information in a permit application, or in any report to the Administrative Authority, the Permittee shall promptly submit such facts or information.

II.E.24. Signatory Requirement

All application, reports or other information submitted to the Administrative Authority shall be signed and certified according to LAC 33:V.507, 509, 511, and 513.

II.E.25. Schedule of Compliance

- II.E.25.a.** Within sixty (60) days of the effective date of this permit, the Permittee shall submit for review and approval by the Administrative Authority a plan and schedule for upgrade of the Tank 7002 (South Mix Pit) secondary containment system. The plan shall include engineering drawings, specifications, and description of work needed to seal the secondary containment system to prevent any intrusion of groundwater or other liquids into the interstitial space between the steel liner and the concrete outer containment, to ensure compliance with LAC 33:V.1907.B.1.

The plan shall also include engineering drawings, specifications, and description of work needed to install a built-in continuous leak detection system capable of detecting a release within twenty-four (24) hours, to ensure compliance with LAC 33:V.1907.E.3.c.

This plan shall be certified by an independent Louisiana licensed professional engineer.

- II.E.25.b.** Within sixty (60) days of completion of construction of the Tank 7002 (South Mix Pit) upgrade, the Permittee shall submit an updated tank assessment certifying that the tank system secondary containment meets the requirements of LAC 33:V.1905.B.1 and LAC 33:V.1907.E.3.c.

Tank 7002 (South Mix Pit) shall not be returned to hazardous waste service until an Order to Proceed is issued by the Administrative Authority.

- II.E.25.c.** Within sixty (60) days of the effective date of this permit, the Permittee shall submit for review and approval by the Administrative Authority a plan and schedule for completion of

repairs to the Thermal Oxidizer unit for the Tank 7002 tank system enclosure (S & E Building).

II.E.25.d. Within sixty (60) days of completion of repairs to the Thermal Oxidizer unit for the Tank 7002 tank system enclosure (S & E Building), the Permittee shall perform a demonstration that the Thermal Oxidizer meets the performance requirements for a control device under LAC 33:V.1761.C.5. The results of this demonstration shall be submitted to the Administrative Authority for approval no later than 150 days after completion of repairs to the Thermal Oxidizer unit.

II.E.25.e. The Permittee shall submit to the Administrative Authority for approval a certification that the verification procedure for the Tank 7002 enclosure (S&E Building) has been carried out as specified in Section 5.0 to *Procedure T – Criteria for and Verification of a Permanent or Temporary Total Enclosure*, as required under LAC 33:V.1755.I, within ninety (90) days of the completion of the test.

II.E.25.f. Within forty-five (45) days of the effective date of this permit, the Permittee must submit to the Administrative Authority for approval, a revised Groundwater Sampling and Analysis Plan (GWSAP) that includes a revised Compliance Monitoring Schedule, currently listed as Table 3, to include the approved reporting frequency for the point of compliance wells.

II.E.26. Updated Documents To Be Submitted Prior To Operation
RESERVED

II.E.27. Documents To Be Maintained at Facility Site

II.E.27.a. The Permittee shall maintain at the facility, until closure is completed and certified by an independent registered professional engineer, the following documents and amendments, revisions, and modifications to these documents. Any revision or changes shall be submitted with the annual report and in compliance with LAC 33:V.321, 322 and 323.

II.E.27.a.i. Waste Analysis Plan submitted in accordance with LAC 33:V.1519 (see Attachment 1);

II.E.27.a.ii. Contingency Plan submitted in accordance with LAC 33:V.1513 (see Attachment 1);

II.E.27.a.iii. Closure Plan submitted in accordance with LAC 33:V.3511 (see Attachment 1);

II.E.27.a.iv. any post-closure care requirements that may be required initially or through permit modifications in accordance with LAC 33:V.3523;

II.E.27.a.v. cost estimate for facility closure care submitted in accordance with LAC 33:V.3705 (see Attachment 1);

II.E.27.a.vi. any post-closure cost estimate that may be required initially or through permit modifications in accordance with LAC 33:V.3709;

II.E.27.a.vii. Training Plan and the training records required by LAC 33:V.1515 (see Attachment 1);

II.E.27.a.viii. Operating records required by LAC 33:V.1529, 2115.D, and

II.E.27.a.ix. Inspection schedules developed in accordance with LAC 33:V.517.G and 1509.B (see Attachment 1).

II.E.27.b. All proposed amendments, revisions and modifications to any plan or cost estimates required by this permit shall be submitted to the Administrative Authority for approval.

II.E.28. Annual Report

An annual report must be submitted by March 1 of each year covering all unit(s) listed in this permit and their activities during the previous calendar year as required by LAC 33:V.1529.D.

II.E.29. Manifest

The Permittee shall report manifest discrepancies and unmanifested waste as per LAC 33:V.309.L.8 and 9.

II.E.30. Emissions

Air emissions from any hazardous waste facility shall not violate the Louisiana Air Quality Regulations. If air quality standards are exceeded, the site will follow air regulation protocol.

II.E.31. Water Discharges

Water discharges, if any, must be in conformity with effluent limitations established by the Clean Water Act operating under a National Pollutant Discharge Elimination Systems (NPDES) permit and reported as required

by that permit in accordance with LAC 33:V.1505.A.1.

II.E.32. Non-Listed Hazardous Waste Facilities

This permit is issued for those hazardous waste facilities listed in Condition IV (Permitted Facilities). If the Permittee determines that an unpermitted hazardous waste unit(s) exists, the Permittee must immediately notify the Administrative Authority in accordance with Condition II.E.23 of this permit.

II.E.33. Compliance With Land Disposal Restrictions

The Permittee shall comply with those land disposal restrictions set forth in La. R.S. 30:2193, and all regulations promulgated thereunder, and the HSWA portion of this permit (Condition VII and VIII).

II.E.34. Establishing Permit Conditions

Permits for facilities with pre-existing groundwater contamination are subject to all limits, conditions, remediation and corrective action programs designated under LAC 33:V.311.D and LAC 33:V.3303.

II.E.35. Obligation for Corrective Action

Owners or operators of hazardous waste management units must have all necessary permits during the active life of the unit and for any period necessary to comply with the corrective action requirements in Condition VII and VIII. of this permit. The facility is obligated to complete facility-wide corrective action regardless of the operational status of the facility.

II.E.36. Attachments and Documents Incorporated by Reference

All attachments and documents required by this permit, including all plans and schedules, are incorporated, upon approval by the Administrative Authority, into this permit by reference and become an enforceable part of this permit. When applicable, the Permittee must modify the permit according to LAC 33:V.Chapter 3. Since required items are essential elements of this permit, failure to submit any of the required items or submission of inadequate or insufficient information may subject the Permittee to enforcement action, which may include fines, suspension, or revocation of the permit.

Any noncompliance with approved plans and schedules shall be termed noncompliance with this permit. Written requests for extension of due dates for submittals may be granted by the Administrative Authority.

If the Administrative Authority determines that actions beyond those provided for, or changes to what is stated herein are warranted, the Administrative Authority may modify this permit according to procedures in LAC 33:V.321.

III. GENERAL FACILITY CONDITIONS

III.A. DESIGN AND OPERATION OF ALL FACILITIES

- III.A.1.** The Permittee must maintain and operate all facilities to minimize the possibility of a fire, explosion, or any unauthorized sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or water that could threaten human health or the environment.
- III.A.2.** If treating, storing, or disposing of hazardous waste generated outside the United States or its territories, the Permittee shall comply with all applicable regulatory requirements, specifically LAC 33:V.1101.C, 1123 and 1125.
- III.A.3.** The Permittee may receive only those off-site hazardous wastes which are listed in the Part A of this permit.

III.B. REQUIRED NOTICE

When the Permittee anticipates receipt of hazardous waste from an off-site source (except where the Permittee is also the generator), it must inform the generator in writing that the Permittee has the appropriate permits for, and will accept, the waste to be shipped by the generator. The Permittee must keep a copy of this written notice as part of the operating record as required by LAC 33:V.1527.E.

III.C. GENERAL WASTE ANALYSIS

The Permittee shall only manage those wastes described in the Waste Analysis Plan referenced in Attachment 1, and must furnish the following updated information:

- III.C.1.** The Permittee shall review the Waste Analysis Plan annually and report to the Administrative Authority in the annual report whether any revision is required to stay abreast of changes in EPA methods and/or state regulatory provisions.
- III.C.2.** In accordance with LAC 33:V.1519.B, the Waste Analysis Plan must meet all the sampling and Quality Assurance/Quality Control (QA/QC) procedures. All test procedures used by the Permittee shall be maintained on file by the Permittee and made available to the Administrative Authority upon request. The Permittee shall submit a report, due March 1 each year,

certified as provided for in LAC 33:V.513, reviewing and evaluating the performance of the laboratory Quality Assurance/ Quality Control (QA/QC) program.

- III.C.3.** The Permittee shall, at a minimum, annually re-characterize all hazardous waste streams shipped off-site or treated on-site. This re-characterization shall provide a means of detecting changes in concentrations of chemical constituents, appearance of new constituents, and whether any revision is required to stay abreast of changes in EPA methods and/or State regulatory provisions. The Permittee shall report to the Administrative Authority and make all necessary revisions within thirty (30) calendar days following its report. The results of this re-characterization shall be summarized in the Permittee's Annual Report.

If the hazardous waste has changed or the operation generating the hazardous waste has changed in any way, the Permittee shall review and re-characterize all potentially impacted hazardous waste streams generated by the Permittee on-site and shipped off-site, or treated, stored, or disposed on-site. The Permittee must re-characterize wastes in accordance with LAC 33:V.1519.A.3. This re-characterization shall include laboratory analyses and/or process knowledge which provides information needed to properly handle and treat, store, or dispose the hazardous waste, including physical characteristics and chemical components of the waste. The results of this re-characterization shall be summarized in the Permittee's Annual Report.

- III.C.4.** Annual review of the WAP must be certified by a Louisiana licensed professional engineer (PE).
- III.C.5.** The Permittee may analyze all recovery wells in the Permittee's laboratory or an outside laboratory. The Permittee shall submit documentation or certification on the reports submitted to the Administrative Authority when a change has been made in laboratories. The documentation shall summarize the laboratory's analytical capabilities and QA/QC procedures. The laboratory's QA/QC program must meet the minimum requirements specified in Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, SW-846, Third Edition, as revised.

III.D. SECURITY

The Permittee shall comply with the security provisions of LAC 33:V.1507.

III.E. GENERAL INSPECTION REQUIREMENTS

The Permittee shall follow the inspection schedule in the Inspection Plan referenced in Attachment 1 of this permit. The Permittee shall remedy any

referenced in Attachment 1 of this permit. The Permittee shall remedy any deterioration or malfunction discovered by an inspection as required by LAC 33:V.1509.C. Records of inspections shall be kept as required by LAC 33:V.1509.D. The inspection schedule shall address the regulatory requirements of LAC 33:V.517.G, 1509, 1911, 2109 and 2507.

III.F. PERSONNEL TRAINING

The Permittee shall conduct personnel training as required by LAC 33:V.1515.A, B and C. This training plan shall follow the outline in the Training Plan referenced in Attachment 1. The Permittee shall maintain all training documents and records as required by LAC 33:V.1515.D and E.

III.G. GENERAL REQUIREMENTS FOR IGNITABLE, REACTIVE, OR INCOMPATIBLE WASTE

The Permittee shall take precautions as required by LAC 33:V.1517 to prevent accidental ignition or reaction of ignitable, reactive, or incompatible wastes.

III.H. LOCATION STANDARDS

- III.H.1.** The Permittee has furnished evidence that it is in compliance with seismic standards as required by LAC 33:V.517.T.
- III.H.2.** The Permittee must not manage any hazardous waste on any portion of the property that lies within the 100 year flood plain (as identified in the Flood Insurance Rating Map) unless such areas are raised above this flood level or other means (e.g., levees) are provided to protect such areas from washouts, overtopping by wave action, soil erosion or other effects of such a flood as required by LAC 33:V.1503.B.3. Such site improvements must be certified by independent licensed professional engineers and approved by Administrative Authority prior to any hazardous waste and/or hazardous waste units being placed thereon.

III.I. PRECIPITATION RUN-ON AND RUN-OFF

The Permittee must provide for the control and/or containment of run-on and run-off from the maximum rainfall occurring in twenty-four (24) hours from a 25-year storm as defined by local rainfall records and LAC 33:V.1503.B.2. The Permittee shall comply with the requirements of LAC 33:V.1907.E.1.b, 2111.B.4, B.5, B.6, 2503.D, E and F and 2521.

III.J. HURRICANE EVENTS

The Permittee shall initiate those applicable portions of the Contingency Plan during a hurricane as well as appropriate actions required by LAC 33:V.1507,

1509, and 1511.

III.K. PREPAREDNESS AND PREVENTION

III.K.1. Required Equipment.

At a minimum, the Permittee shall install and maintain the equipment set forth in the Contingency Plan referenced in Attachment 1, as required by and which is in conformance with LAC 33:V.1511.C.

III.K.2. Testing and Maintenance of Equipment

The Permittee shall test and maintain the equipment specified in Condition III.K.1 to insure its proper operation in time of emergency.

III.K.3. Access to Communications or Alarm Systems

The Permittee shall maintain access to the communications or alarm system, as required by LAC 33:V.1511.E.1 and 1511.E.2.

III.K.4. Required Aisle Space

In no case shall aisle space be less than two (2) feet. In addition, the Permittee shall maintain adequate aisle space as required by LAC 33:V.1511.F and 2109.B.

III.K.5. Arrangements with Local Authorities

The Permittee shall document in the annual report that the requirements of LAC 33:V.1511.G have been met. This documentation shall include those State and Local agencies involved and those facilities and operations covered. Documentation of annual written renewal of arrangements with State and Local agencies shall also be included in this report. Where state or local authorities decline to enter into such arrangements, the Permittee must document the refusal in the operating record.

III.L. CONTINGENCY PLAN

III.L.1. Implementation of Plan

The Permittee shall immediately carry out the provisions of the Contingency Plan referenced in Attachment 1 of this permit, which complies with the emergency procedures described by LAC 33:V.1513.F, whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents that threaten or could threaten human health or the environment.

III.L.2. Copies of Plan

The Permittee shall comply with the requirements of LAC 33:V.1513.C.

III.L.3. Amendments to Plan

The Permittee shall review and amend in a timely manner, if necessary, the Contingency Plan, as required by LAC 33:V.1513.D.

III.L.4. Emergency Coordinator

The Permittee shall comply with the requirements of LAC 33:V.1513.E concerning the emergency coordinator.

III.M. MANIFEST SYSTEM

III.M.1. Use of the Manifest System

The Permittee shall comply with the applicable manifest requirements of LAC 33:V. Chapter 11.

III.N. RECORD KEEPING AND REPORTING

III.N.1. Operating Record

The Permittee shall maintain a written operating record at the facility in accordance with LAC 33:V.1529.A, B, and C.

III.N.2. Annual Report

The Permittee shall comply with the annual report requirements of LAC 33:V.1529.D.

III.N.3. Operations Manual

The Permittee shall compile and keep current an operations manual covering all aspects of the Permittee's treatment, storage and disposal facilities.

III.O. CLOSURE

The Closure/Post-closure Plan shall include the following responses by the Permittee to LAC 33:V.1915, 2117, 2521, 3503, 3505, 3507, 3509, 3511, 3513, and 3515.

III.O.1. Closure Performance Standard

The Permittee shall close the facility in accordance with the Closure Plan referenced in Attachment 1, and applicable sections of LAC 33:V.3505, 3507 and 3511.

III.O.2. Amendment to Closure Plan

The Permittee shall amend the Closure Plan where necessary, in accordance with LAC 33:V.3511.C. Any modification shall be subject to LAC 33:V.321, 322, and 323, where applicable.

III.O.3. Notification of Closure

The Permittee shall notify the Administrative Authority at least forty-five (45) days prior to the date he expects to begin closure, in accordance with LAC 33:V.3511.D.

III.O.4. Time Allowed For Closure

After receiving the final volume of hazardous waste, the Permittee shall treat or remove from the site all hazardous waste in accordance with the schedule specified in the Closure Plan referenced in Attachment 1 and LAC 33:V.3513. After receiving the final volume of hazardous waste, the Permittee shall complete closure activities in accordance with the schedule specified in the Closure Plan referenced in Attachment 1.

III.O.5. Disposal of Decontamination of Equipment

The Permittee shall decontaminate and/or dispose of all facility equipment in accordance with the Closure Plan referenced in Attachment 1, and LAC 33:V.3515.

III.O.6. Certification of Closure

The Permittee shall certify that the facility has been closed in accordance with the specifications in the Closure Plan referenced in Attachment 1 and as required by LAC 33:V.3517.

III.O.7. Inventory at Closure

The Permittee shall be responsible for closure cost based upon the maximum permitted facility inventories listed below in III.O.7. Table 1-3:

III.O.7.TABLE 1

RCRA CONTAINER STORAGE AREAS

Container Area	Containment Capacity (Gallons)	Volume of Largest Container Allowed (Gallons)	Total Permitted Storage Capacity (Gallons)
TSF ¹	68,539	350	320,760
Pad A	41,321	350	48,180
Pad B	27,507	350	50,160
Pad C	1,460	350	7,260
Pad D	28,816	350	39,600
Pad E	6,872	5,000	42,900
North Burn	8,746	5,000	31,680
South Burn	13,664	5,000	42,240
Dolly Down	40,664	6,000	168,000
S & E Building	5,322	5,000	24,640

¹TSF area is a permitted unit and consists of a loading dock. The loading dock has been re-designated as part of the Ten (10) Day Transfer Facility and is no longer part of the permitted TSF area under this permit. The loading dock area is not a permitted unit under this permit however it is included in the requirements of Condition III.Q. and III.R. for closure and financial assurance requirements due to its previous operations as a hazardous waste storage area.

III.O.7.TABLE 2

DESIGN AND OPERATING PARAMETERS FOR RCRA TANK SYSTEMS

Tank No.	Year Put Into Service	Service	Materials of Construction	Dimensions and Permitted Capacity	Design Standard	Inspection Standard	Design Temp. and Pressure	Nominal Thickness	Minimum Thickness	Secondary Containment Type and Capacity ¹
6039 Leachate Tank	1989	Landfill Leachate Storage only	Fiberglass Reinforced Plastic	12' D x 15' H 12,678 gal	ASTM D3299	Internal visual Leak Testing Pressure Testing Inspection every 2 yrs	Ambient 0.5 psi working	Shell 0.25 in Top 0.25 in Bottom 0.625 in	Not Applicable	External liner 13,962 gal
7002 South Mix Pit	1985	Stabilization/Solidification Treatment only	Carbon steel A-36	Rectangular pit 10' W x 20' L x 10' D 16,306 gallons	Custom	Internal visual Ultrasonic thickness Magnetic particle test Inspection every 2 yrs	Ambient Atmospheric	0.75 in	0.50 in	Double-walled tank External portion - concrete structure w/reinforced steel embedded steel

¹-Secondary containment capacity for Tank 7002 is the concrete structure with reinforced embedded steel. A numerical capacity is not required.

III.O.7.TABLE 3

RCRA LANDFILL CELL 904

Landfill Cell	Capacity Remaining (cubic yards)	Maximum Permitted Capacity
904	Approximately 500 cubic yards	161,000 cubic yards or 100 acre-foot

III.P. POST-CLOSURE

The Permittee will attempt to clean close all hazardous waste units. If the facility cannot be clean closed, the Permittee shall submit a post-closure plan for approval by the Administrative Authority. If some waste residues or contaminated materials are left in place at final closure, the Permittee must comply with all post-closure requirements contained in LAC 33:V.3519 through 3527; including maintenance and monitoring throughout the post-closure care period.

III.Q. COST ESTIMATES FOR CLOSURE/POST-CLOSURE

- III.Q.1. The Permittee must maintain cost estimates for closure of all facilities in accordance with LAC 33:V.3705.B and 3707.
- III.Q.2. The Permittee shall maintain and adjust the closure cost for inflation, as specified in LAC 33:V.3705.B, 3705.C, and for other circumstances that increase the cost of closure.
- III.Q.3. The Permittee must adjust the closure cost estimate within thirty (30) days after approval by the Administrative Authority of any request to modify the closure plan in accordance with LAC 33:V.3705.C. The Permittee shall consider the impact of any inventory and or process changes on the closure cost estimate.
- III.Q.4. The closure cost estimate must equal the cost of closure at the point in the facility's operating life when the extent and manner of its operation would make closure most expensive in accordance with LAC 33:V.3705.A.1-4. The closure cost estimate shall be based on the maximum permitted inventory of each facility as specified in Condition III.O.7.Table 1 through 3 of this permit. The closure cost must include allowance for decontaminating the building, vent scrubber system and any associated contaminated equipment and soils in adjacent areas of Mixing Pit Tank 7002 listed in Condition III.O.7.Table 2.

- III.Q.5. The Permittee's post-closure cost estimate of all facilities as required by LAC 33:V.3709.A shall be included in a separate post-closure plan.
- III.Q.6. The Permittee shall maintain and adjust the post-closure cost estimate for inflation in accordance with LAC 33:V.3709.B.
- III.Q.7. The Permittee shall adjust the post-closure estimate within thirty (30) days after approval by the Administrative Authority of any request to modify the post-closure plan in accordance with LAC 33:V.3709.C. The Permittee shall consider the impact of any inventory and/or process changes on the post-closure cost estimate.
- III.Q.8. The post-closure cost estimate must equal the annual post-closure cost multiplied by the number of years in the post-closure period as specified in LAC 33:V.3521.A.
- III.Q.9. Any closure/post-closure modifications are subject to LAC 33:V.321.
- III.Q.10. If the Permittee is unable to complete clean closure of all facilities specified in Condition III.O.7.Table 1 through 3 as per LAC 33:V.Chapter 35 and as acceptable by the Administrative Authority, a post-closure plan must be submitted for each facility unable to achieve clean closure within ninety (90) days from the date the Permittee or Administrative Authority determines that the unit must be closed as a landfill. The post-closure plan must meet the requirements of LAC 33:V.3523.B.

III.R. FINANCIAL ASSURANCE FOR FACILITY CLOSURE

The Permittee shall have and maintain financial assurance for closure in accordance with LAC 33:V.3707 for all units listed under Condition III.O.7.Table 1-3.

The Permittee shall have and maintain financial assurance for post-closure in accordance with LAC 33:V.3711 for all units listed under Condition III.O.7.Table 1-3.

III.S. LIABILITY REQUIREMENTS

The Permittee shall have and maintain liability coverage for sudden accidental occurrences for treatment, storage, and disposal facilities or a group of such facilities in accordance with LAC 33:V.3715.A.

III.T. INCAPACITY OF THE PERMITTEE

The Permittee shall comply with LAC 33:V.3717 whenever bankruptcy is initiated for the Permittee or its institutions providing financial assurance. If insurance is used for compliance with LAC 33:V.3715, the Permittee shall immediately notify the Administrative Authority if the insurance company is placed in receivership. The Permittee must establish other financial assurance or liability coverage within sixty (60) days after such an event.

IV. PERMITTED FACILITIES

IV.A. TANKS

Details of the existing tanks are listed in IV.A. Table 4 below. The design and operations are contained in Condition V.A.

IV.A.TABLE 4

DESIGN AND OPERATING PARAMETERS FOR RCRA TANK SYSTEMS

Tank No.	Year Put Into Service	Service	Materials of Construction	Dimensions and Permitted Capacity	Design Standard	Inspection Standard	Design Temp. and Pressure	Nominal Thickness	Minimum Thickness	Secondary Containment Type and Capacity ¹
6039 Leachate Tank	1989	Landfill Leachate Storage only	Fiberglass Reinforced Plastic	12' D x 15' H 12,678 gal	ASTM D3299	Internal visual Leak Testing Pressure Testing Inspection every 2 yrs	Ambient 0.5 psi working	Shell 0.25 in Top 0.25 in Bottom 0.625 in	Not Applicable	External liner 13,962 gal
7002 South Mix Pit	1985	Stabilization/Solidification Treatment only	Carbon steel A-36	Rectangular pit 10' W x 20' L x 10' D 16,306 gallons	Custom	Internal visual Ultrasonic thickness Magnetic particle test Inspection every 2 yrs	Ambient Atmospheric	0.75 in	0.50 in	Double-walled tank External portion - concrete structure w/reinforced embedded steel

¹-Secondary containment capacity for Tank 7002 is the concrete structure with reinforced embedded steel. A numerical capacity is not required.

IV.B. CONTAINER STORAGE AREAS

Details of the existing container storage areas are listed in IV.B.Table 5. Design and operations of these units are contained in Condition V.B:

IV.B.TABLE 5

RCRA CONTAINER STORAGE AREAS

Container Area	Containment Capacity (Gallons)	Volume of Largest Container Allowed (Gallons)	Total Permitted Storage Capacity (Gallons)
TSF	68,539	350	320,760
Pad A	41,321	350	48,180
Pad B	27,507	350	50,160
Pad C	1,460	350	7,260
Pad D	28,816	350	39,600
Pad E	6,872	5,000	42,900
North Burn	8,746	5,000	31,680
South Burn	13,664	5,000	42,240
Dolly Down	40,664	6,000	168,000
S & E Building	5,322	5,000	24,640

IV.C. LANDFILL DISPOSAL

Details of the existing landfill are listed in IV.C. Table 6 below. Details and operations of this unit are contained in Condition V.C.

IV.C. TABLE 6

RCRA LANDFILL CELL 904

Landfill/Cell	Capacity Remaining	Maximum Permitted Capacity
904	Approximately 500 cubic yards	161,000 cubic yards or 100 acre-feet

V. PERMIT CONDITIONS APPLICABLE TO PERMITTED FACILITIES

V.A. TANKS

V.A.1. Description of Tank Systems

V.A.1.a. Operation

- V.A.1.a.i.** All permitted tanks and associated piping, pumps, instruments, containments, and vent controls shall be operated and maintained in accordance with LAC 33:V.Chapter 19 and the specification and design criteria provided in the Permit Application.
- V.A.1.a.ii.** The Permittee shall operate and maintain all permitted tanks and containment systems according to the specifications, design criteria, and design limits specified in Condition IV.A.Table 4.
- V.A.1.a.iii.** The design temperature and pressure for each tank listed in IV.A.Table 4, shall not change unless a permit modification is requested by the Permittee and subsequently approved by the Administrative Authority.

V.A.1.b. Permitted Tanks

- V.A.1.b.i.** The tanks listed in Condition IV.A.Table 4 are permitted for hazardous waste storage or treatment. These tanks have been certified by an independent, professional engineer licensed in the State of Louisiana and have sufficient structural integrity for the storage of hazardous waste.
- V.A.1.b.ii.** The tanks listed in Condition IV.A.Table 4 must be clearly marked with the words "Hazardous Waste" in accordance with LAC 33:V.1104.E.1.d.
- V.A.1.b.iii.** The Permittee is prohibited from storing or treating hazardous waste in any tank storage system not listed in Condition IV.A.Table 4 for greater than ninety (90) days, unless an extension is granted by the Administrative Authority in accordance with LAC 33:V.1109.E.2.

V.A.2. Permitted and Prohibited Wastes

V.A.2.a. Permitted Waste

Subject to the terms of this permit, the Permittee is allowed to store or treat hazardous waste in the tanks as described in Condition V.A.1.b, and the hazardous wastes identified in the most current RCRA Subtitle C Site Identification Form (Part A Permit Application).

V.A.2.b. Prohibited Waste

The Permittee is prohibited from storing or treating hazardous waste that is not identified in the most current RCRA Subtitle C Site Identification Form (Part A Permit Application).

V.A.3. Secondary Containment

V.A.3.a. Duty to Comply with LAC 33:V.1907.B through F

The Permittee shall design, construct, operate, and maintain the secondary containment system in accordance with LAC 33:V.1907.B through F and Condition IV.A.Table 4 of this permit.

V.A.3.b. Prevention of Migration

- V.A.3.b.i.** Secondary containment systems must be maintained and operated to prevent any migration of wastes or accumulated liquid out of the system to the soil, groundwater, or surface water at any time during the use of the tank system in accordance with LAC 33:V.1907.B.1.

If wastes or accumulated liquid is detected to migrate out of the secondary containment system to the soil or groundwater, or if groundwater is detected to migrate into the secondary containment system at any time, the entire tank system shall be considered unfit for use, and the procedures of LAC 33:V.1913 shall be followed.

- V.A.3.b.ii.** Ancillary equipment must be provided with secondary containment, except as excluded by LAC 33:V.1907.F.
- V.A.3.b.iii.** Secondary containment systems must be free of cracks or gaps and other surface defects that would allow liquid to migrate out of the containment system in accordance with LAC 33:V.1907.E.
- V.A.3.b.iv.** Spilled or leaked waste and/or accumulated precipitation must be removed from the secondary containment system within twenty-four (24) hours in accordance with LAC 33:V.1907.C.4.

V.A.3.b.v. If unable to remove spilled or leaked waste and/or accumulated precipitation within twenty-four (24) hours, the Permittee must demonstrate to the Administrative Authority that more time is required and propose an alternate schedule for removal.

V.A.3.b.vi. Secondary containment for the leachate tank (6039) must possess and maintain an impervious coating capable of preventing lateral or vertical migration of accumulated liquid and wastes.

V.A.4. Operating Requirements

V.A.4.a. Duty to Comply with LAC 33:V.1909.A

The Permittee shall comply with LAC 33:V.1909.A. Hazardous wastes or treatment reagents must not be placed in a tank system if they could cause the tank, its ancillary equipment, or the containment system to rupture, leak, corrode, or otherwise fail.

V.A.4.b. Duty to Comply with LAC 33:V.1909.B

The Permittee shall comply with LAC 33:V.1909.B and Condition IV.A.Table 4 of this permit. The Permittee must use appropriate controls and practices to prevent spills and overflows from tanks and containment systems.

V.A.4.c. Tank Covers

The Leachate Tank 6039, listed on Condition IV.A.Table 4, shall be covered and shall not be vented directly to the atmosphere if the tank is used to store, or if a possibility exists that they may be used to store, volatile or malodorous waste.

V.A.4.d. Maintenance

The Permittee shall maintain the permitted tank systems according to the design code specified for each tank as listed in Condition IV.A.Table 4 and not exceed the listed operating conditions.

V.A.5. Ignitable, Reactive, and Incompatible Wastes

The Permittee shall store ignitable, reactive, or incompatible wastes only in accordance with LAC 33:V.1517.B, 1917 and 1919.

V.A.6. Inspections

V.A.6.a. Inspection Schedule

The Permittee shall comply with LAC 33:V.1911.A through C by following the inspection schedule submitted in the Inspection Plan (see Attachment 1).

V.A.6.b. Daily Inspection

V.A.6.b.i. At least once per day while the tank is operating in hazardous waste service, the Permittee shall inspect the following:

V.A.6.b.i.(a). Aboveground portions of the tank system, as applicable, including the tank, ancillary piping, valves, and vent controls, to detect corrosion, cracks or releases of waste.

V.A.6.b.i.(b). Data gathered from monitoring and leak detection equipment.

V.A.6.b.i.(c). The construction materials and area immediately surrounding the externally accessible portion of the tank system and ancillary equipment, e.g. secondary containment system, to detect erosion, cracks and signs of hazardous waste releases.

V.A.6.b.ii. All deficiencies noted during daily inspections must be recorded and remedied in a timely manner.

V.A.6.c. External Inspection

At a minimum, external inspection of each tank covered by this permit shall be performed every two (2) years. The inspection shall be performed by a person meeting the minimum qualifications required under the installation inspection standard in LAC 33:V.1905.B. The inspection checklist shall be comparable to that in API Standard 653 as applicable.

If the result of such an inspection reveals that the tank is unfit for continued service, the Permittee shall immediately stop the flow of hazardous waste into the tank and comply with LAC 33:V.1913. The certification required by LAC 33:V.1913.F shall be obtained before the tank is put back into service.

V.A.6.d. Internal Inspection

Internal inspection of each tank covered by this permit shall be performed every two (2) years. The inspection shall include thickness testing to demonstrate compliance with the minimum requirements in Condition IV.A.Table 4, as applicable. The inspection shall be performed by a person meeting the minimum qualifications required under the inspection standard in Condition VI.A.Table 4. The inspection checklist shall be comparable to that in API Standard 653 as applicable.

If the result of such an inspection reveals that the tank is unfit for continued service, the Permittee shall immediately stop the flow of hazardous waste into the tank and comply with LAC 33:V.1913. The certification required by LAC 33:V.1913.F shall be obtained before the tank is put back into service.

When any tank shell thickness measurement at a single point is less than that required in Condition IV.A.Table 4, the tank system shall be considered unfit for use, and the procedures of LAC 33:V.1913 shall be followed. The tank shall be repaired or replaced and the certification required by LAC 33:V.1913.F shall be obtained before the tank is put back into service.

V.A.6.e. RESERVED.

V.A.6.f. Overfill Controls

Overfill controls shall be tested to ensure that they are in working order according to the schedule proposed in the Inspection Plan (see Attachment 1).

V.A.7. Response to Leaks and Spills

V.A.7.a. Duty to Comply with LAC 33:V.1913.A through E

In the event of a leak or spill from a tank system, secondary containment system, or if a system becomes unfit for use, the Permittee shall comply with LAC 33:V.1913.A through E.

V.A.7.b. Leaks and Spills

- V.A.7.b.i.** Upon discovering a leak or spill, the Permittee must immediately stop the flow of hazardous waste into the tank system or secondary containment system and inspect the system to determine the cause

of the release.

V.A.7.b.ii. Within twenty-four (24) hours of detecting a leak from the tank system, or in as timely a manner as is practical if the Permittee demonstrates that it is not possible to remove the waste within twenty-four (24) hours, the Permittee must remove as much waste as necessary to prevent further release from the tank or secondary containment system and to allow inspection and repair of the tank system in accordance with LAC 33:V.1913.B.1.

V.A.7.b.iii. Any spilled material or material trapped in sumps that is a hazardous waste or that will be disposed of as a hazardous waste must be cleaned up in a timely manner, as required by LAC 33:V.1505.C.3.

V.A.7.b.iii.(a). If the collected material is discharged through a point source to United States waters or to a Publicly Owned Treatment Works, it is subject to the requirements of the Clean Water Act.

V.A.7.b.iii.(b). If the collected material is released to the environment, it may be subject to reporting under applicable requirements of LAC 33:V.1505, LAC 33:I.Chapter 39, and 40 CFR Part 302.

V.A.7.b.iv. When a leak or spill occurs, the Permittee shall remove and properly dispose of any visible contamination of the soil or surface water in accordance with LAC 33:V.1913.C.2.

V.A.7.b.v. A tank system from which a leak or spill has occurred must be closed in accordance with the approved Closure Plan and LAC 33:V.1915, unless the requirements of LAC 33:V.1913.E.2-3 are satisfied.

V.A.7.b.v.(a). For a release caused by a spill that has not damaged the integrity of the system, the Permittee shall remove the released waste and make any necessary repairs to fully restore the integrity of the system before returning the tank system to service in accordance with LAC 33:V.1913.E.2.

V.A.7.b.v.(b). For a release caused by a leak from the primary tank system to the secondary containment system, the Permittee shall repair the primary system prior to

returning the tank to service in accordance with LAC 33:V.1913.E.3.

- V.A.7.b.vi. If the Permittee replaces a component of the tank system to eliminate a leak, that component must satisfy the requirements for new tank systems or components in LAC 33:V.1905 and 1907.
- V.A.7.b.vii. All leaks and spills shall be documented in the daily inspection log.

V.A.7.c. Major Repairs

- V.A.7.c.i. The Permittee shall comply with LAC 33:V.1913.F when performing major repairs to a tank system.
- V.A.7.c.ii. Major repairs shall include, but not be limited to, installation of an internal liner, repair of a ruptured tank, repair of a ruptured secondary containment area, and removal of a tank from its foundation for any reason.
- V.A.7.c.iii. **RESERVED.**
- V.A.7.c.iv. The tank shall not be returned to service unless the Permittee has obtained a certification by an independent professional engineer licensed in the State of Louisiana that the system is capable of handling hazardous waste without release for the intended life of the system. The certification of repairs shall include an inspection in accordance with the requirements of any applicable codes, such as API 510 or API 653. The certification shall be submitted to the Administrative Authority within seven (7) days of returning the tank system to use in accordance with LAC 33:V.1913.F.

V.A.8. Recordkeeping

V.A.8.a. New Tanks

In the event any new tank systems are installed, the Permittee shall obtain, and keep on file at the facility, the written statements by those persons required to certify the design and installation of new tank systems, in accordance with LAC 33:V.1905.G.

V.A.8.b. Written Assessment

The Permittee shall keep on file at the facility, written assessments of the

tank systems' integrity. The assessments shall be updated at the time of submittal of a permit renewal application and/or at any other time deemed necessary by the Administrative Authority (i.e., permit modifications, tank replacements, tank repairs, etc.).

V.A.8.c. Inspections

V.A.8.c.i. The Permittee shall document in the operating record for the facility inspection of those items in Condition V.A.6.a and b.

V.A.8.c.i.(a). The daily log sheets shall include all monitored parameters for the prevention of spills and overflows, including temperature, pressures, and levels.

V.A.8.c.i.(b). The Permittee shall note all deficiencies discovered during the inspection in the inspection log.

V.A.8.c.i.(c). Corrective action taken in response to deficiencies must be included as part of the operating record for the facility.

V.A.8.c.ii. The Permittee shall document in the operating record all tests and inspections of overfilling controls.

V.A.8.c.iii. The Permittee shall keep on file at the facility the results of the internal and external inspections required by Condition V.A.6.c and d. The Permittee shall note all deficiencies discovered during the inspection in the inspection log. Corrective action taken in response to deficiencies must be included as part of the operating record for the facility.

V.A.8.c.iv. The Permittee shall keep on file at the facility all information related to tank thickness testing required under Condition V.A.6.d.

V.A.8.c.iv.(a). This information shall include at a minimum the date(s) of assessment, the location where measurement readings are taken, the raw measurement data, comparison of actual reading to minimum thickness requirements, the corrosion rate, and calculation of remaining tank life.

V.A.8.c.iv.(b). RESERVED.

V.A.8.c.iv.(c). RESERVED.

V.A.8.c.v. The Permittee shall keep on file at the facility the records of repairs

required under Condition V.A.7.c.

V.A.8.d. Releases

V.A.8.d.i. The Permittee shall keep on file at the facility notification reports submitted under LAC 33:V.1913.D.

V.A.8.d.ii. Within twenty-four (24) hours of detecting a reportable leak or spill from a tank system or secondary containment system to the environment, the Permittee shall report the leak in accordance with either Condition II.E.16 (Emergency Unauthorized Discharge) or Condition II.E.17 (Non-Emergency Unauthorized Discharge).

V.A.8.d.iii. As required by LAC 33:V.1913.D.3, within thirty (30) days of detecting a reportable release to the environment from a tank system or secondary containment system, the Permittee shall report the following information to the Administrative Authority's Single Point of Contact (SPOC):

V.A.8.d.iii.(a). Likely route of migration of the release,

V.A.8.d.iii.(b). Characteristics of the surrounding soil, including soil composition, geology, hydrogeology, and climate,

V.A.8.d.iii.(c). Results of any monitoring or sampling conducted in connection with the release (if available). If the Permittee finds it will be impossible to meet this time schedule, the Permittee must provide the Administrative Authority with a schedule of when the results will be available. This schedule must be provided before the required thirty (30) day submittal period expires,

V.A.8.d.iii.(d). Proximity of downgradient drinking water, surface water, and populated areas, and

V.A.8.d.iii.(e). A description of response actions taken or planned.

V.A.8.e. Repairs

The Permittee shall keep on file at the facility all certifications required by Condition V.A.7.c.

V.A.9. Closure and Post-Closure Care

V.A.9.a. Duty to Comply with LAC 33:V.1915.A

The Permittee shall comply with LAC 33:V.1915.A by following the procedures specified in the approved Closure Plan, see Attachment 1 of this permit.

V.A.9.b. Duty to Comply with LAC 33:V.1915.B

If the Permittee demonstrates that not all contaminated soils can be practicably removed or decontaminated in accordance with Condition V.A.9.a, the Permittee shall comply with LAC 33:V.1915.B.

V.A.9.c. Post-Closure

The Permittee shall attempt to clean close all tank systems. If the surface and subsurface soils below and adjacent to the tank system cannot be clean closed and the Permittee has not demonstrated through a risk assessment approved by the Administrative Authority that closure with the remaining contaminant levels is protective of human health and the environment, the Permittee shall present a post-closure plan to the Administrative Authority for approval. If any waste residue or contaminated media are left in place at final closure, the Permittee must comply with all post-closure requirements contained in LAC 33:V.3519 through 3527, including maintenance and monitoring throughout the post-closure care period.

V.B. CONTAINER STORAGE AREAS

The permit conditions as set forth under this Condition shall apply where applicable, to the permitted container storage facilities as designated in Condition IV.B. Table 5.

V.B.1. Conditions and Operations

V.B.1.a. Conditions of Containers

- V.B.1.a.i.** The Permittee shall be in compliance with all appropriate conditions set forth in LAC 33:V.Chapter 21.
- V.B.1.a.ii.** The Permittee shall maintain the condition of all containers in accordance with LAC 33:V.2103.
- V.B.1.a.iii.** The Permittee shall maintain the integrity of all containers in accordance with LAC 33:V.2105.

V.B.1.b. Management of Containers

V.B.1.b.i. The Permittee shall manage the containers in accordance with LAC 33:V.2107.A and B.

V.B.1.b.ii. The Permittee shall store all wastes in containers that are compatible with the hazardous wastes as required by LAC 33:V.2105. Hazardous wastes being transported offsite must be packaged and labeled in accordance with DOT standards listed in 49 CFR 173 and 178 as required by LAC 33:V.1109 and LAC 33:V.1759.F.

V.B.1.b.iii. If any hazardous waste is emptied from a container, the residue remaining in the container is not considered a hazardous waste if the container is "empty" as defined by RCRA and in accordance with LAC 33:V.109. In this event, management of the container is exempt from the requirements of LAC 33:V.Chapter 21.

V.B.1.b.iv. Drums or other containers holding 30 gallons or more, must be placed on pallets not more than two (2) containers high with no more than four (4) containers per tier on the pallet. The pallets shall be placed in rows with a minimum of two (2) feet of aisle space between the rows, or the width necessary to get emergency equipment to any area of the aisle, whichever is greater. All containers must be placed so that the hazardous waste identification labels may be read from the access aisle, and no drums or pallets may be stored directly over any sump area. Five (5) gallon containers may be stored on pallets three (3) containers high with sixteen (16) containers per tier on each pallet. The stack can reach 3 pallets high for a total of forty-eight (48) containers per pallet (LAC 33:V.1511.F).

V.B.1.c. Permitted and Prohibited Wastes

V.B.1.c.i. Permitted Waste

Subject to the terms of this Permit, the Permittee is allowed to store in the container storage areas as described in Condition V.B of this Permit, the hazardous waste described in the most current Part A permit application.

V.B.1.c.ii. The Permittee is prohibited from storing hazardous waste

that is not identified in Permit Condition V.B.1.c.i of this Permit.

The following wastes are prohibited from storage:

V.B.1.c.ii.(a). Lethal or incapacitating chemical or biological munitions or their residues or contaminated packaging.

V.B.1.c.ii.(b). Wastes containing radioactive materials.

V.B.1.c.ii.(c). Infectious wastes.

V.B.1.c.ii.(d). Reactive or explosive hazardous waste not in proper DOT shipping containers.

V.B.1.c.ii.(e). Propellants that serve as a vehicle for discharging their contents, such as aerosol cans.

V.B.1.d. Secondary Containment

V.B.1.d.i. The Permittee shall always maintain enough secondary containment capacity to contain at least ten percent (10%) of the total volume of containers or the volume of the largest container, whichever is greater, in accordance with LAC 33:V.2111.B.3. Containers that do not contain free liquids (per the Paint Filter Liquids Test) do not need to be considered in this determination.

V.B.1.d.ii. Container storage systems must have a containment system that is designed and operated in accordance with LAC 33:V.2111.B.

V.B.1.d.iii. The containment system must be designed and operated as follows:

- a base must underlie the containers which is free of cracks or gaps and is sufficiently impervious to contain leaks, spills, and accumulated precipitation until the collected material is detected and removed;
- the base must be sloped or the containment system must be otherwise designed and operated to drain

and remove liquids resulting from leaks, spills, or precipitation, unless the containers are elevated or are otherwise protected from contact with accumulated liquids;

- run-on into the containment system must be prevented unless the containment system has sufficient excess capacity in addition to that required in LAC 33:V.2111.B.3 to contain any run-on which might enter the system;
- spilled or leaked waste and accumulated precipitation must be removed from the sump or collection area in as timely a manner as is necessary to prevent overflow of the collection system; and
- if the collected material is a hazardous waste, it must be managed in accordance with all applicable requirements.

V.B.1.e. Requirements for Ignitable, Reactive, and Incompatible Waste

- V.B.1.e.i.** The Permittee must store ignitable, incompatible, or reactive waste in accordance with LAC 33:V.1517 and LAC 33:V.2113, LAC 33:V.2115.A, B, C, and D.
- V.B.1.e.ii.** Containers holding ignitable or reactive waste must be located at least 15 meters (50 feet) from the facility property line.
- V.B.1.e.iii.** Hazardous wastes must not be placed in an unwashed container that previously held an incompatible waste or material.
- V.B.1.e.iv.** A storage container holding a hazardous waste that is incompatible with any waste or other materials stored nearby in other containers must be separated from the other materials or protected from them by means of a dike, berm, wall, other device, or approved management technique.
- V.B.1.e.v.** The Permittee must place the results of each waste analysis and any documented information regarding

compatibility testing in the operating record of the facility.

V.B.1.f Inspections

- V.B.1.f.i.** The Permittee shall inspect the containers and containment area(s) in accordance with LAC 33:V.2109 and LAC 33:V.1509. Results of such inspections must be placed in the operating record (for a minimum of three years). All incidents involving leaking containers and spilled materials reportable under applicable regulations (the Clean Water Act [CWA], RCRA, and the Superfund Amendments and Reauthorization Act of 1986 [SARA]) shall be detailed in the annual report (due March 1 of each year).
- V.B.1.f.ii.** At least weekly, the Permittee must inspect where containers are stored, looking for leaking containers and for deterioration of containers and the containment system (including sealants used to maintain a base free of cracks or gaps). Remedial action, as described in LAC 33:V.1513, shall be taken immediately.
- V.B.1.f.iii.** All containers shall be stacked in such a fashion that each container identification label can be read from the access aisle.
- V.B.1.f.iv.** All inspection records shall be maintained according to the recordkeeping requirements of LAC 33:V.1529.

V.B.1.g. Leaks and Spills

- V.B.1.g.i.** The Permittee shall manage spilled or leaked waste and accumulated precipitation according to LAC 33:V.2111.B.5.
- V.B.1.g.ii.** Storm water shall be managed and discharged through a properly permitted NPDES wastewater treatment system or other disposal method authorized by the Administrative Authority.
- V.B.1.g.iii.** The Permittee shall manage any collected material as required by LAC 33:V.2111.B.6. Spilled or leaked material shall be handled in a timely manner as required by LAC 33:V.2111.B.5.

V.B.1.h. Closure/Post-Closure

V.B.1.h.i. At closure, the Permittee must remove all hazardous waste, residues, and containers from the container storage areas. All containers and liners must be handled as a hazardous waste (unless meeting the definition of “empty” container in accordance with LAC 33:V.109). All residuals and contaminated soils must be removed as required by the Closure Plan referenced in Attachment 1 of this permit, and as required by LAC 33:V.2117. If some waste residues or contaminated materials are left in place at final closure, the Permittee must comply with all post-closure requirements contained in LAC 33:V.3519 and 3527, including maintenance and monitoring throughout the post-closure care period.

V.B.1.h.ii. At closure, the Permittee shall adhere to the procedures detailed in the approved closure plan referenced in Attachment 1 of this permit and as required by LAC 33:V.2117 and LAC 33:V.Chapter 35, Closure Requirements. If the facility cannot be clean closed, the Permittee shall submit a post-closure plan for approval by the Administrative Authority.

A post-closure plan must be submitted for each container storage area failing to achieve clean closure (or an alternative closure standard approved under LAC 33:V.3501.D.2 or LAC 33:V.3507.B) within ninety (90) days from the date that the Permittee or the Administrative Authority determines that the unit must be closed as a landfill. The post-closure plan must meet the requirements of LAC 33:V.3523.B.

The Administrative Authority may re-evaluate the adequacy of the closure plan and/or the confirmatory sampling procedures prior to the commencement of closure, based upon the wastes historically managed by each unit during its lifetime.

V.C. LANDFILL

V.C.1. General Design, Construction and Requirements

V.C.1.a. The design, construction and operations of the hazardous waste landfill

designated as Landfill Cell 904, must comply with this permit, the applicable regulatory requirements of LAC 33:V.517, 533 and LAC 33:V.Chapter 25, and shall be in accordance with the plans and specifications for design, construction and operations approved herein. All plans and specifications for the design, construction and operation of the hazardous waste landfill facility, approved at the time of construction of Landfill Cell 904 and attached hereto and made a permanent part of the permit, are approved subject to the terms of this permit and any other order of the Administrative Authority.

- V.C.1.b. Any variance from or modification to the approved drawings, specifications or terms and conditions of this permit for the design or construction of the landfill unit that deviates from the design intent or performance standards is not allowed without prior written approval from the Administrative Authority.
- V.C.1.c. At least twenty-four (24) hours prior to effecting any variance from or modification to the approved plans and specifications for design, construction and operation of the landfill and the terms and conditions of the permit that do not constitute a deviation from the design intent or performance standards, the Permittee shall notify the Administrative Authority of the intended change via facsimile transmittal and follow-up with an official notification via registered mail, and a telephone call. This notification shall include a justification for the proposed action.
- V.C.1.d. The Administrative Authority reserves the right to require the implementation of additional procedures if it is subsequently determined that a change effected without said approval was deemed by the Administrative Authority as being in deviation from the design intent or performance standards of the approved drawings, specifications or terms and conditions of this permit.

V.C.2. General Operating Conditions

- V.C.2.a. The Permittee shall operate and maintain the one (1) existing permitted Landfill Cell 904, listed in Condition IV.C.Table 6, to meet the following performance standards:
 - V.C.2.a.i. Operate and maintain a run-on control system capable of preventing flow onto the active portion of the landfill during peak discharge from a 24-hour, 25-year storm in accordance with LAC 33:V.2503.D. Any incidences of run-on entering the containment areas shall be reported and made a part of the annual report.

- V.C.2.a.ii. Operate and maintain a run-off management system to collect and control at least the water volume resulting, from a 24-hour, 25-year storm in accordance with LAC 33:V.2503.E. Any incidences of run-off not collected and controlled shall be reported and made a part of the annual report.
- V.C.2.a.iii. The Permittee may landfill only those wastes which, at a minimum, meet the criteria specified in LAC 33:V.2503, 2511, 2513, 2515, 2517 and 2519, and in compliance with Conditions VII and VIII of this permit.
- V.C.2.a.iv. The Permittee may not place bulk or non-containerized liquid hazardous waste or hazardous waste containing free liquids (whether or not absorbents have been added) in the landfill.
- V.C.2.a.v. All collection and holding facilities (sumps and tanks) associated with the run-on and run-off control systems must be emptied expeditiously after storms to maintain the design capacity of the system. Collected material must be disposed of properly as required by LAC 33:V.2503.F.
- V.C.2.a.vi. Hazardous waste within the landfill must be covered or otherwise managed to insure minimum wind dispersal as required by LAC 33:V.2503.G.
- V.C.2.a.vii. While in operation, the landfill must be inspected weekly and after storms to detect evidence of any of the following, as required by LAC 33:V.2507.C:
 - V.C.2.a.vii.(a). deterioration, malfunctions, or improper operation of run-on and run-off control systems;
 - V.C.2.a.vii.(b). the presence of liquids in leak detection systems;
 - V.C.2.a.vii.(c). proper functioning of wind dispersal control systems, where present; and
 - V.C.2.a.vii.(d). the presence of leachate in and proper functioning of leachate collection and removal systems, where present.
- V.C.2.a.viii. Accumulated rainfall and groundwater must be removed from the active portions of the landfill in a timely manner.
- V.C.2.a.ix. Closure and post-closure care shall conform with LAC 33:V.2521

and the closure/post-closure plan referenced in Attachment 1 of this permit, which is in compliance with the applicable rules and regulations.

- V.C.2.a.x.** The receiving and monitoring of wastes into the landfill must be performed according to LAC 33:V.1527 and the Waste Analysis Plan referenced in Attachment 1.
- V.C.2.a.xi.** The leachate detection and collection system must be properly maintained and inspected weekly and after storms to detect the presence of liquids and the proper functioning of the systems. If liquids are encountered at the level of greater than one (1) foot above the lip of the collection sump in a leachate collection system, it shall be removed to the lowest practical level. For both leachate collection and detection systems, records shall be maintained on the amount of fluid removed each week. The volume of fluid removed from each leachate collection and detection system must be reported quarterly.
- V.C.2.a.xii.** The Permittee must maintain operating records as required by LAC 33:V.2509. At a minimum the accurate location of each waste load shall be recorded in the operating record within twenty-four (24) hours of being placed in the landfill. These records are to include a system of accurate tracking of each waste load throughout the facility. The tracking system must record: pre-acceptance information and analyses, the date of the pre-acceptance data, acceptance information and analyses, all internal transfers of wastes from receipt at the facility to treatment, storage and final disposal, all internal waste transfers for on-site generated wastes such as contaminated rainwater, landfill leachate, truck washings, etc., the date and all wastes treated in the S&E Building (i.e., TK 7002) and the results of all test analyses on the solidified wastes; the contents, date, weight or volume and location of wastes placed into and removed from storage; and the method location and date of final disposal, treatment, or reclamation at the facility. Other than laboratory acceptance results which are recorded on a real time basis during the review of the shipment, all data shall be entered into the tracking system by the close of the next business day. The tracking system must provide a coordinate for the accurate location within the landfill of each day's disposal or each disposal event.

V.C.2.b. Special Requirements for Ignitable or Reactive Waste

V.C.2.b.i. Except as provided in LAC 33:V.2511.B and 2519, ignitable or reactive waste must not be placed in a landfill, unless the waste and landfill meet all applicable requirements of LAC 33:V.Chapter 22, and;

V.C.2.b.i.(a). The resulting waste, mixture, or dissolution of material no longer meets the definition of ignitable or reactive waste in LAC 33:V.4903.B or D; and

V.C.2.b.i.(b). LAC 33:V.1517.B is complied with.

V.C.2.b.ii. Except for prohibited wastes subject to treatment standards in LAC 33:V.Chapter 22, ignitable wastes in containers may be landfilled without meeting the requirements of LAC 33:V.2511.A, provided that the wastes are disposed of in such a way that they are protected from any material or conditions which may cause them to ignite. At a minimum, ignitable wastes:

V.C.2.b.ii.(a). must be disposed of in non-leaking containers which are carefully handled and placed so as to avoid heat, sparks, rupture, or any other condition that might cause ignition of the wastes; and

V.C.2.b.ii.(b). must be covered daily with soil or other non-combustible material to minimize the potential for ignition of the wastes; and

V.C.2.b.ii.(c). must not be disposed of in cells that contain or will contain other wastes which may generate heat sufficient to cause ignition of the waste.

V.C.2.c. Special Requirements for Incompatible Wastes

Incompatible wastes, or incompatible wastes and materials, must not be placed in the same landfill cell, unless incompatible waste handling requirements of LAC 33:V.1517 are complied with as required by LAC 33:V.2515.

V.C.2.d. Special Requirements for Containers

Containers placed in the landfill must be either at least ninety (90) percent full in the landfill; or emptied and crushed flat, shredded, or similarly reduced in volume to the maximum practical extent before burial in the landfill as

required by LAC 33:V.2517.

V.C.2.e. Disposal of Small Containers of Hazardous Waste in Overpacked Drums (Lab Packs)

The Permittee must comply with the requirements of LAC 33:V.2519 and the requirements of Louisiana Department of Public Safety (LDPS) hazardous materials/hazardous waste regulations, LAC 33:V.Subpart 2.Chapter 101.

V.C.2.f. Monitoring and Inspection

While the landfill is in operation, the Permittee must inspect it weekly and after storms in accordance with Condition V.C.2.a.vii. and as required by LAC 33:V.2507.C.

V.C.2.f.i. The Permittee is required to have a leak detection system under LAC 33:V.2503.L or M and must record the amount of liquids removed from each leak detection systems sump at least once each week during the active life and closure period as required by LAC 33:V.2507.D.

V.C.2.f.ii. After final cover is installed, the amount of liquids removed from each leak detection system sump must be recorded at least monthly. If the liquid level in the sump stays below the pump operating level for two (2) consecutive months, the amount of liquids in the sumps must be recorded at least quarterly. If the liquid level in the sump stays below the pump operating level for two (2) consecutive quarters, the amount of liquids in the sumps must be recorded at least semi-annually. If, at any time during the post-closure care period, the pump operating level is exceeded at units on quarterly or semi-annual recording schedules, the Permittee must return to monthly recording of amounts of liquids removed from each sump until the liquid level again stays below the pump operating level for two (2) consecutive months as required by LAC 33:V.2507.D.1.

V.C.3. Closure/Post-Closure

Closure/post-closure of Landfill Cell 904 shall be in accordance with Conditions III.O.1 and III.O.2 of this permit and the closure/post-closure plan referenced in Attachment 1.

V.C.3.a. The final closure of the Landfill Cell 904, the Permittee must cover the landfill with a final cover designed and constructed to:

V.C.3.a.i. provide long-term minimization of migration of liquids through the closed landfill;

- V.C.3.a.ii. function with minimum maintenance;
 - V.C.3.a.iii. promote drainage and minimize erosion or abrasion of the cover;
 - V.C.3.a.iv. accommodate settling and subsidence so that the cover's integrity is maintained; and
 - V.C.3.a.v. have a permeability less than or equal to the permeability of any bottom liner system or natural subsoils present.
- V.C.3.b. After final closure, the Permittee must comply with all post-closure requirements contained in LAC 33:V.3519-3527, including maintenance and monitoring throughout the post-closure care period (specified in the permit under LAC 33:V.3521.A.1). The Permittee must:
- V.C.3.b.i. maintain the integrity and effectiveness of the final cover, including making repairs to the cap as necessary to correct the effects of settling, subsidence, erosion, or other events;
 - V.C.3.b.ii. maintain and monitor the leak detection system in accordance with LAC 33:V.2503.L.4.d, 2503.L.5, and 2507.D, where such a system is present between double liner systems and comply with all other applicable leak detection system requirements of LAC 33:V.Subpart 1;
 - V.C.3.b.iii. continue to operate the leachate collection and removal system until leachate is no longer detected;
 - V.C.3.b.iv. maintain and monitor the groundwater monitoring system and comply with all other applicable requirements of LAC 33:V.Chapter 33;
 - V.C.3.b.v. prevent run-on and run-off from eroding or otherwise damaging the final cover; and
 - V.C.3.b.vi. protect and maintain surveyed benchmarks used in complying with LAC 33:V.Chapter 33.
- V.C.3.c. Within sixty (60) days of completion of closure of each hazardous waste landfill unit (904), and within sixty (60) days of completion of final closure, the Permittee shall submit a certification that the hazardous waste management unit or facility has been closed in accordance with specifications in the approved closure plan as required by LAC 33:V.3517. The certification must be signed by the owner or operator and by an independent registered professional engineer. Documentation supporting the independent registered professional engineer's certification must be furnished to the Administrative Authority upon request until he releases the

owner or operator from the financial assurance requirements for closure under LAC 33:V.3707.

- V.C.3.d.** A survey plot must be submitted to the local zoning authority or the authority with jurisdiction over local land use, and the Administrative Authority no later than the submission of the certification of closure as required by LAC 33:V.3517.B.
- V.C.3.e.** In accordance with LAC 33:V.2504.A-B, LAC 33:V.2507.A-D and LAC 33:V.2508.A-C, if during the post-closure care period a leak into the leachate detection systems occurs, the Permittee must notify the Office of Environmental Services of the leak in writing within seven (7) days after detecting the leak.

VI. GROUNDWATER PROTECTION

VI.A. APPLICABILITY

The regulations of LAC 33:V. Chapters 3, 5, 15, 19, 21, 25, 33, and 35, and Louisiana Water Control Law, R.S., 30:2203, 2204 and 2076 of the Environmental Quality Act, R.S., 30:2001 et seq., and the provisions of this section shall apply to groundwater protection programs at Clean Harbors Baton Rouge, LLC located in Baton Rouge, Louisiana. All requirements and conditions of this section must be satisfied and shall apply during the active life of the facilities. This includes compliance, closure, and post-closure care periods. The Facility at the Baton Rouge complex is identified as Landfill Cell 904.

VI.B. REQUIRED PROGRAMS

The Permittee must continue to conduct compliance monitoring and corrective actions using all existing systems necessary to comply with monitoring programs for Landfill Cells 901, 902 and 717, as per the regulatory requirements of their respective post-closure permit(s) and for Landfill Cell 904 as specified herein. The Permittee shall include in the annual report a revised table showing all point of compliance, compliance, and corrective action wells, and all piezometers. Ongoing corrective actions must continue as approved by the Administrative Authority under this operating permit and current post-closure permits until groundwater protection standards have been achieved at facility. All wells and piezometers associated with Landfill Cell 904 must be maintained, protected from moving equipment and cannot be abandoned unless approved at a later date by the Administrative Authority.

VI.C. GROUNDWATER PROTECTION STANDARD

- VI.C.1.** The Permittee must comply with conditions specified in this permit that are designed to insure that hazardous waste and hazardous waste constituents do not exceed the Method Detection Limits as listed in Condition VI.Table 1 of this permit and in accordance with the Groundwater Sampling and Analysis Plan (GWSAP) referenced in Attachment 1, in all monitored zones (Unit 3, Unit 4, Unit 6 and Unit 8) underlying the waste management areas, beyond or below the points of compliance (see Condition VI.E) during the compliance period (see Condition VI.F). Units 3 and 4 are the uppermost permeable units and Units 6 and 8 are the lower permeable units. The protection standard does not exempt the Permittee from required corrective actions regarding contamination detected by wells not assigned as groundwater point of compliance (POC).

- VI.C.2.** The Permittee must utilize and maintain the present groundwater monitoring system identified in Condition VI.D and Condition VI.Table 2, "Compliance Monitoring Schedule" of this permit. Compliance Wells Upgradient are 39B-2, 39A, 40A, 40B-2, 16A, 11A, 11B, 11C, 54B-1, 26A, 14A, 14B, 14C, 1A, 1B, 1C, OB-33, 43A, 3A, DM-1, SM-10, 2A. Point of Compliance Wells are 13A-R, 13B-1, 13B-2. Compliance Wells Downgradient are 7A, 12A, SM-3, 7B, 47B-1, 20A, 41A, 13C, 53C. Corrective Action wells are I-4, I-5, and I-10. In addition, all monitoring wells must be maintained so that surface infiltration is prohibited and groundwater samples are generated that are representative of the monitored zone.
- VI.C.3.** The Permittee must also measure pH and Specific Conductance as standard indicators of groundwater contamination, the results of which must be interpreted and reported in accordance with the GWSAP.
- VI.C.4.** The Permittee must adhere to the Sampling and Analysis Plan outlined below and in accordance with the GWSAP, referenced in Attachment 1:
- VI.C.4.a.** All wells, other than piezometers, must be sampled according to the schedule provided in Condition VI.Table 2 of this permit for LAC 33:V.3325 Table 4 constituents, and the samples managed and tested as required under Condition VI.C.4.e. The analytical results of routine monitoring must be compiled in reportable form and maintained on site by the Permittee for review at any time by Departmental personnel, until submitted to the Administrative Authority with the annual report. However, if subsequent contamination to groundwater is discovered, then reporting must be in accordance with Conditions VI.H, I and J of this permit, as applicable.
- VI.C.4.b.** Monitor wells without dedicated pumps must be measured for depth to water each time the wells are sampled on the same day and prior to purging. Wells with dedicated in-well pumps must be measured for depth to water on the same day and prior to purging. Monitor wells must be measured for total depth at least triennially (every 3 years). Should any of the total depth measurements indicate (through change in total depth from the original completion depth) siltation of the well greater than 10% of the total screen length, the Permittee shall take all steps necessary to re-establish the original drilled depth of the well. Failing this, the Permittee must notify the Administrative Authority and request authorization to plug and abandon the well in accordance with LAC 33:V.3323 and Condition VI.K.

At least triennially (every 3 years), prior to purging, each monitor well must be checked to determine if any constituents with a density less than water (LNAPL's) and greater than water (DNAPL's) are present. This determination is to be made with an interface water level measuring probe. Following removal of the pump assembly, the monitor well will be allowed to stabilize before the measurements are taken with the interface water level probe. If either constituents (LNAPL's or DNAPL's) are measured, samples must be collected and analyzed separately for the volatile constituents listed in LAC 33:V.3325, Table 4.

- VI.C.4.c.** Each well must be purged by evacuation to dryness or by removing a minimum of three (3) casing volumes. Wells which are not purged to dryness must be sampled immediately upon purging and/or when sufficient water for sampling has recharged the well. Low yielding wells (wells purged to dryness) may be allowed to recover for no more than twenty-four (24) hours before sampling. Purging and sampling methods must be compatible throughout the active life of the facility.
- VI.C.4.d.** Samples must be withdrawn using dedicated or adequately cleaned equipment for each well. No equipment or method may be used that will chemically or physically alter or influence the sample. Care must be taken to avoid placing clean sampling equipment on the ground or on any contaminated surface. Sampling methods and equipment must be compatible throughout the active life of the facility.
- VI.C.4.e.** Sample preservation, handling and containerization must meet the specifications of the LAC 33:V. and Test Methods for Evaluating Solid Waste Physical/Chemical Methods 3rd Ed. (EPA Publication Number SW-846, 1986, as amended) or an equivalent substitute as approved by the Administrative Authority. For constituents for which analytical methods are not specified in the above referenced document, the Permittee must submit an analytical method to be employed. The method should be fully described and explained by the Permittee. This explanation should include supporting documentation, including any published documents/papers on the technique(s).
- VI.C.4.f.** Analytical methods equivalent to SW-846 (or analyses for parameters not listed in SW-846) must be approved by the Administrative Authority prior to implementation.

VI.C.4.g. A chain of custody protocol must be employed that will allow for the tracing of possession and handling of samples from the time of collection through laboratory analysis. All sample containers must be labeled to prevent mis-identification, have proper seals, and indicate the test parameters required.

VI.C.4.h. An up-to-date field log book must be kept at the site which documents for each sample the well identification number, total well depth, water level, water color (visual), well evacuation procedures and equipment, sample withdrawal procedures and equipment, date, time, sample identification numbers, field measurements (pH, specific conductance, etc.) and methods, name of collector, field observations, calculations of the standing water volume in the well, and the total volume evacuated.

VI.C.4.i. Air monitoring shall be in accordance with LAC 33:V.3305.E.

VI.D. HAZARDOUS CONSTITUENTS, PARAMETERS, ANALYTICAL FREQUENCY AND CONCENTRATION LIMITS

VI.D.1. The monitoring wells associated with Landfill Cell 904 (Compliance Wells Upgradient are 39B-2, 39A, 40A, 40B-2, 16A, 11A, 11B, 11C, 54B-1, 26A, 14A, 14B, 14C, 1A, 1B, 1C, OB-33, 43A, 3A, DM-1, SM-10, 2A. Compliance Point Wells are 13A-R, 13B-1, 13B-2. Compliance Wells Downgradient are 7A, 12A, SM-3, 7B, 47B-1, 20A, 41A, 13C, 53C. Corrective Action wells are I-4, I-5, and I-10), hazardous constituents are listed in Condition VI.Table 1 of this permit, and sampling frequency, to which the protection standards of LAC 33:V.3305 apply are referenced in Condition VI.Table 2 of this permit and in the approved revised GWSAP required by Condition II.E.25.f.

The Permittee shall continue existing corrective actions in all areas where groundwater has been affected by hazardous wastes, constituents, or parameters exceeding the assigned concentration limit, and implement corrective measures in other areas which may be discovered to exceed these limits in the future.

The Method Detection Limit (MDL), established in "Test Methods for Evaluating Solid Waste Physical/Chemical Methods, 3rd Ed." (EPA Publication Number SW-846, 1986, as amended), or approved equivalent, shall be the groundwater protection standard, unless changed through permit modifications by the Administrative Authority. (MDL denotes maximum permissible U.S. EPA quoted Method Detection Limit.)

Within one hundred twenty (120) days of the effective date of this permit, the Permittee may demonstrate, through the analysis of background groundwater quality, that for constituents listed on Condition VI.Table 1 of this permit, concentrations above the Method Detection Limit are naturally occurring. This demonstration may include any and all analytical data from monitor wells located at facility.

If, at any time, it is determined that these constituent concentrations are a result of past or present facility operations or other non-naturally occurring conditions, the Permittee must submit to the Administrative Authority, within ninety (90) days of the determination, a request for a permit modification in accordance with Condition VI.I. This modification must include a plan to initiate assessment actions, which will include delineation of the vertical and horizontal extent of the groundwater contamination, and will institute or extend corrective actions for impacted zones.

- VI.D.2.** If the Permittee determines, pursuant to LAC 33:V.3319.D, that the groundwater concentration limits under this Condition are being exceeded at any well, he or she may demonstrate that a source other than a regulated unit caused the contamination or that the detection is an artifact caused by an error in sampling, analysis, or statistical evaluation or natural variation in the groundwater. In making a demonstration under this Condition, the owner or operator must follow the provision established in LAC 33:V.3319.I.

VI.E. POINT OF COMPLIANCE

The point of compliance (POC) at which the groundwater protection standard of LAC 33:V.3305.A applies, and at which monitoring must be conducted are the vertical intervals intercepted by the POC wells. POC wells must be sampled annually for LAC 33:V.3325, Table 4 constituents. When contamination is detected in the lowermost existing compliance zone, then the next vertical permeable zone must also be monitored during compliance and corrective actions periods. The horizontal limit of compliance shall be the surface following an imaginary line connecting the risers of monitoring wells, unless amended through permit modifications by the Administrative Authority in the future. Groundwater quality at each monitoring well identified above shall be determined at the frequency specified in Condition VI.Table 2 of this permit and the approved revised GWSAP as required in Condition II.E.25.f, unless subsequent contamination is detected. Monitoring must then be conducted in accordance with the schedules specified in Conditions VI.H, I, and J, as applicable. Any changes to the point of compliance shall trigger a modification procedure pursuant to LAC 33:V.322.C.

VI.F. COMPLIANCE PERIOD

The compliance period during which the groundwater protection standard of LAC 33:V.3305.A applies is the active life of the regulated units. This period ends after a corrective action program has been implemented, and the Permittee has demonstrated that the corrective action has been effective and the groundwater protection standard of LAC 33:V.3305.A has not been exceeded for a period of three (3) consecutive years.

The Permittee shall determine groundwater quality in the zones being monitored throughout the active life of the facility plus thirty (30) years for any post-closure care monitoring, or as required by the Administrative Authority through permit modifications.

VI.G. GENERAL REQUIREMENTS

VI.G.1. The owner or operator must comply with the following requirements for any groundwater monitoring program developed to satisfy LAC 33:V.3319, and/or 3321:

VI.G.1.a. The groundwater monitoring system must consist of a sufficient number of wells, installed at appropriate locations and depths, to yield groundwater samples from the uppermost aquifer that fulfill the following requirements.

VI.G.1.a.(1). The samples must represent the quality of groundwater that has not been affected by leakage from a regulated unit.

VI.G.1.a.(2). The samples must represent the quality of water passing the horizontal limit of compliance.

VI.G.1.a.(3). The samples must allow for the detection (as defined in LAC 33:V.3303.A.1) of contamination when hazardous waste or hazardous constituents have migrated from the waste management area to the uppermost aquifer.

VI.G.1.b. If the facility contains more than one regulated unit, separate groundwater monitoring systems are not required for each regulated unit, if provisions for sampling the groundwater in the uppermost aquifer will enable detection and measurement at the compliance point for hazardous constituents for the regulated units.

- VI.G.1.c.** All monitoring wells must be cased in a manner that maintains the integrity of the monitoring well bore hole. This casing must be screened or perforated, and packed with gravel or sand, where necessary, to enable collection of groundwater samples. The annular space (i.e. the space between the bore hole and well casing) above the sampling depth must be sealed to prevent contamination of sample and the groundwater.
- VI.G.1.d.** The groundwater monitoring program must include consistent sampling and analysis procedures that are designed to ensure monitoring results that provide a reliable indication of groundwater quality below the waste management area. The Permittee must adhere to the "Groundwater Sampling and Analysis Plan" (GWSAP) approved by the Administrative Authority, and as referenced in Attachment 1 of this permit, and as required by Condition II.E.25.f.
- VI.G.1.e.** The groundwater monitoring program must include sampling and analytical methods that are appropriate for groundwater sampling, and that accurately measure hazardous constituents in groundwater samples.
- VI.G.1.f.** The groundwater monitoring program must include a determination of the groundwater surface elevation each time groundwater is sampled.
- VI.G.2.** The Permittee must maintain the structural and mechanical integrity of all wells and provide protection from accidental damage and surface infiltration as well as implement a monitoring well inspection schedule for monitor wells, and piezometers. The Permittee will report to the Administrative Authority a written report on any repairs or changes to any well.
- VI.G.3.** The Permittee must conform to the sampling and analysis requirements listed in Conditions VI.C, E, I, and J, herein, and as required by LAC 33:V.3305. A potentiometric map must be prepared on a semi-annual basis for each separate zone that is monitored.
- VI.G.4.** Records of all sampling and analytical work must be maintained at the plant site during the life of the facilities, including post-closure care periods.
- VI.G.5.** An annual groundwater report must be submitted each year no later than March 1, as required by LAC 33:V.1529.D.8. This report shall summarize

all groundwater activities for the preceeding calendar year including an evaluation of the monitoring strategy in relation to the direction of groundwater flow and locations of wells associated with the facilities. Applicable calculations must also include groundwater flow contaminant migration rates (as applicable), and any other information as regards to corrective actions required by this permit (see Condition VI.J.5).

VI.G.6. Standard groundwater monitoring events will be conducted on a semi-annual frequency. Copies of the detail reports, field forms, and chain of custodies are kept onsite at the Facility and shall be provided to the LDEQ upon request. The semi-annual report shall, at a minimum, contain:

- Groundwater surface potentiometric maps;
- Statistical analysis results for point of compliance (POC) and/or other required wells. Statistical analyses will be performed in accordance with GWSAP, and the applicable monitoring program requirements for each well of interest;
- Determination if measured concentrations in point of compliance (POC) and/or other required wells exceed concentration limits for constituents listed in Condition VI.Table 1;

VI.G.6.a. Semi-annual groundwater monitoring reports containing the information requirements of GWSAP and LAC 33:V.3317 and 3319 shall be submitted to the Administrative Authority as follows:

- Semi-annual groundwater monitoring reports containing data and information (i.e. statistical results, maps, etc.) shall be submitted to the Administrative Authority on or before the end of the month following the end of the semi-annual sampling event, in accordance with LAC 33:V.3317 and 3319. Submittal timeframes for groundwater monitoring data and reports related to groundwater monitoring are provided below:

SEMI-ANNUAL EVENT	MONITORING REPORT DUE DATE
FIRST QUARTER	SEPTEMBER 1
THIRD QUARTER	MARCH 1

- The transmittal letter accompanying the semi-annual groundwater monitoring report shall identify the date that

the Permittee received the completed analytical data (including electronic deliverables) from the laboratory as well as the determination date.

VI.G.6.b. It is anticipated that semi-annual groundwater monitoring events will occur during the first and third quarters of each year. The sampling quarters are subject to change as conditions dictate, with prior approval from the Administrative Authority.

VI.G.6.c. Semi-Annual Leachate Reports shall be submitted to the Administrative Authority. These reports shall include recovered leachate volumes for the six (6) month period, leachate analytical data, field logs and copies of sample chain of custodies from the first semi-annual sampling event. Volumes of water covered from the recovery wells system for the six (6) month period and graphs of recovered water volumes for the past three (3) years should be included. A separate notification and report should be submitted to the Administrative Authority if any leachate releases into the leak detection system is observed.

VI.H. DETECTION MONITORING PROGRAM

Downgradient wells that are presently contaminated, but eventually produce clean water for at least three (3) years because of on-going corrective actions, must be re-scheduled for detection monitoring on a semi-annual basis. Clean water as used in the previous sentence is defined as water samples with contaminant concentration levels below the MDL (Method Detection Limit) utilizing the methods specified in the groundwater sampling and analysis plan. The Permittee must request modification of this permit to include a detection monitoring program if the above condition is satisfactorily demonstrated to the Administrative Authority. A re-evaluation of the statistical methods and concentration limits shall be required as part of the application process.

VI.I. COMPLIANCE MONITORING

The Permittee shall continue the compliance monitoring program in accordance with LAC 33:V.3319.

VI.I.1. The Permittee shall determine the concentration of each hazardous constituent listed in Condition VI.Table 1 of this permit, at least semi-annually during compliance monitoring periods. At least annually the Permittee shall analyze samples from all monitoring wells at the

compliance point for all constituents listed in LAC 33:V.3325. Table 4, to determine whether additional hazardous constituents are present in the groundwater at the horizontal and vertical point of compliance (and, if so, at what concentration), pursuant to procedures of this permit. If the Permittee finds LAC 33:V.3325. Table 4 constituents in the groundwater that are not already identified in the permit as monitoring constituents, the Permittee may resample within one month and repeat the LAC 33:V.3325. Table 4 analysis. If the second analysis confirms the presence of new constituents, the Permittee must report the concentrations of these additional constituents to the Administrative Authority within seven days after the completion of the second analysis and add them to the monitoring list of Condition VI.Table 1 of this permit. If the Permittee chooses not to resample, then he or she must report the concentrations of these additional constituents to the Administrative Authority within seven (7) days after completion of the initial analysis and add them to the monitoring list of Condition VI.Table 1 of this permit.

VI.I.2. If the Permittee determines, pursuant to LAC 33:V.3319.D, that any concentration limits under LAC 33:V.3309 are being exceeded at any monitoring well at the point of compliance, he or she must:

VI.I.2.a. notify the Administrative Authority of this finding in writing within seven (7) days. The notification must also identify those parameters or constituents that have shown the significant changes. The Permittee may resample within thirty (30) days of discovery of the significant change to confirm the findings. If the resampling effort confirms that an impact to groundwater has occurred, the Permittee must:

VI.I.2.a.i. submit, to the Administrative Authority, an application for a permit modification, in accordance with LAC 33:V.322.C, within ninety (90) days from the date of the resampling effort to establish or modify corrective action programs meeting the requirements of LAC 33:V.3321. The application must include the following information:

VI.I.2.a.ii.(1). a detailed description and schedule for assessment and corrective actions that will achieve compliance with the groundwater protection standard specified in Condition VI.D of this permit under LAC 33:V.3319.A; and

VI.I.2.a.iii.(2). a plan for a groundwater monitoring program that will demonstrate the effectiveness of the corrective actions. This plan may incorporate the compliance monitoring program developed to meet the requirements of this permit, except that the Permittee will be required to monitor as frequently as necessary (as required in Condition VI.J.1) to assure that sufficient data will be generated for demonstrating the effectiveness of the corrective actions.

VI.I.2.b. If the Permittee determines, pursuant to LAC 33:V.3319.D. that the groundwater concentration limits under this Condition are being exceeded at any monitoring well, he or she may demonstrate that a source other than a regulated unit caused the contamination, or that the detection is an artifact caused by an error in sampling, analysis, or statistical evaluation, or natural variation in the groundwater. In making a demonstration under this Subsection, the Permittee must:

VI.I.2.b.i. notify the Administrative Authority in writing within seven (7) days that he or she intends to make a demonstration under this condition;

VI.I.2.b.ii. within ninety (90) days, submit a report to the Administrative Authority which demonstrates that a source other than a regulated unit caused the standard to be exceeded or that the apparent noncompliance with the standards resulted from error in sampling, analysis or evaluation. If this demonstration is accepted by the Administrative Authority, the Permittee may continue compliance monitoring in accordance with this condition.

VI.I.2.b.iii. within ninety (90) days of determining the demonstration is unsuccessful,, submit to the Administrative Authority an application for a permit modification to make any appropriate changes to the compliance monitoring program at the facility; and

VI.I.2.b.iv. continue to monitor in accordance with the compliance monitoring program established under

this permit.

For contamination in wells associated with approved corrective action programs, compliance with the corrective action program as required by LAC 33:V.3303, 3319, and 3321 will constitute compliance with Conditions I.2.a, I.2.b, and I.2.c of this permit.

VI.I.2.d. The Permittee must address confirmed groundwater contamination problems at the direction of the Administrative Authority regardless of the source of contamination.

VI.I.2.e. If the Permittee determines that the compliance monitoring program no longer satisfies the requirements of this permit, he or she must, within ninety (90) days submit an application for a permit modification to make any appropriate changes to the program.

VI.J. CORRECTIVE ACTION PROGRAM

VI.J.1. If subsequent groundwater contamination is confirmed, the Permittee shall establish, expand or continue any new corrective action programs in accordance with the requirements of LAC 33:V.3321 and as subsequently directed by the Administrative Authority. This corrective action program shall consist of treatment in place of hazardous constituents and/or the removal of hazardous constituents by the pumping of interceptor systems or recovery wells. Water quality sampling, water level measurements and the general compilation of data to demonstrate the effectiveness of existing and new corrective action programs must be made on a semi-annual basis until compliance with groundwater protection standards is achieved for at least three (3) years or until this requirement is terminated in writing by the Administrative Authority (after the data indicates adequate control of contaminant migration and concentration decreases).

VI.J.2. Additionally, and in accordance with the authority of the Louisiana's Water Control Law R.S. 30:2071 of the Environmental Quality Act, R.S., 30:2001 et seq., and LAC 33:I.3919 and 3925, and as allowed by LAC 33:V.309 pertaining to special conditions of the groundwater section of the permit, the Permittee must notify the Administrative Authority upon discovery of any additional discharge, or possible discharge, of any waste or substance into the groundwaters of the State at the Permittee's plant site. As a result of such discharges to groundwaters the Permittee shall:

VI.J.2.a. notify the Administrative Authority of the nature and circumstances of the discharge within seven (7) working days after

learning of the groundwater discharge or migration;

VI.J.2.b. submit adequate plans and schedules, certified by a qualified geologist or geotechnical engineer, to evaluate the extent of the discharge and need for corrective actions within ninety (90) days from the notification in Condition VI.J.2.a above.

VI.J.3. The Permittee must implement corrective actions beyond the facility property boundary, where necessary to protect human health and the environment, unless the Permittee demonstrates to the satisfaction of the Administrative Authority that, despite the Permittee's best efforts, the Permittee was unable to obtain the necessary permission to undertake such actions. The Permittee is not relieved of all responsibility to clean up a release that has migrated beyond the facility boundary where off-site access is denied. Measures to address such releases must be in accordance with LAC 33:V.3322 and the La. R.S. 30:2204.

VI.J.4. The Permittee shall submit semi-annually in the Groundwater Report to the Administrative Authority, Corrective Action Effectiveness Reports. These reports shall contain at a minimum:

VI.J.4.a. a facility map showing all monitor, assessment, compliance, point of compliance, process, and recovery wells and piezometers;

VI.J.4.b. a table showing well number, well depth, screened interval, zone monitored, well diameter and casing material for all monitor, assessment, compliance, point of compliance, process, and recovery wells, and piezometers, and the type of pump used if the well is a recovery well;

VI.J.4.c. a summary of analytical data for all monitor, assessment, compliance, point of compliance, process, and recovery wells for the reporting period;

VI.J.4.d. discussion on any significant changes in the analytical data from all wells for the reporting period;

VI.J.4.e. maps showing horizontal and vertical extent of contamination by use of contaminant concentration isopleths for each monitored zone and each class of contaminant (i.e. VOC's, SVOC's, metals, PCBs, etc.) for the reporting period;

- VI.J.4.f. water level measurements and potentiometric surface maps for each monitored zone for the reporting period;
- VI.J.4.g. total volume of liquids pumped and amount of contaminants removed for each well for the reporting period and cumulative volumes to date;
- VI.J.4.h. discussion on the down time for any well or pump for the reporting period and actions taken by the facility to return the well or pump to normal operations and maximum efficiency;
- VI.J.4.i. concentration versus time graphs for all monitoring wells and constituents and/or constituent classes which are routinely detected in the groundwater. These graphs shall be used to determine the effectiveness of the recovery program; and
- VI.J.4.j. discussion on the effectiveness and progress of the remedial activities. Adequate management of the plume(s) of contamination to prevent or arrest off-site migration from any area of the plant site must be achieved within five (5) years from the effective date of this permit and implemented in accordance with LAC 33:V.3322.

VI.K. CONSTRUCTION AND ABANDONMENT OF MONITORING WELLS AND GEOTECHNICAL BOREHOLES

The construction and abandonment of groundwater monitoring wells must conform to the standards and guidelines specified in "**CONSTRUCTION OF GEOTECHNICAL BOREHOLES AND GROUNDWATER MONITORING SYSTEMS HANDBOOK**", latest edition. This document is printed by and available from the Louisiana Department of Transportation and Development (DOTD), Water Resources Section, P.O. Box 94245, Baton Rouge, Louisiana 70804-9245. The document is also available online at <http://www.dotd.state.la.us/intermodal/wells/wellhandbook.com>.

A work plan for the construction of a new well must be submitted to the Administrative Authority for approval as the entire groundwater monitoring system must be approved. Any required new well should be installed within thirty (30) days of approval of the work plan by the Administrative Authority. Upon completion of new or replacement well, a copy of DOTD-GW-1 S, DOTD Well Registration Short Form, is to be provided to the Administrative Authority.

The Permittee must provide for the sealing of any vertical migration path resulting from exploratory boring, leachate collection or detection systems and/or groundwater monitoring programs as provided in LAC 33:V.3323. A work plan for the plugging and

abandonment of a well must be submitted for approval by the Administrative Authority, whenever such migration pathways are discovered. Upon completion of well abandonment, a copy of DOTD-GW-2, DOTD Well Plugging and Abandonment Form, is to be provided to the Administrative Authority.

TABLE 1
LAC 33:V:3325 TABLE 4 LIST OF PARAMETERS ¹
CLEAN HARBORS BATON ROUGE, LLC LAD010395127-P

Common Name ²	CAS RN ³	Chemical Abstracts Service Index Name ⁴	Suggested Methods ⁵	PQL (µg/L) ⁶	TA Denver MDL(µg/L)
Acenaphthene	83-32-9	Acenaphthylene, 1,2-dihydro-	8100 8270	200 10	0.28
Acenaphthylene	208-96-8	Acenaphthylene	8100 8270	200 10	0.49
Acetone	67-64-1	2-Propanone	8260	100	1.9
Acetophenone	98-86-2	Ethanone, 1-phenyl-	8270	10	0.41
Acetonitrile; Methyl cyanide	75-05-8	Acetonitrile	8260	100	9.56
2-Acetylamino- fluorene; 2-AAF	53-96-3	Acetamide, N-9H-fluoren-2-yl-	8270	10	2
Acrolein	107-02-8	2-Propenal	8030 8260	5 5	2.8
Acrylonitrile	107-13-1	2-Propenenitrile	8030 8260	5 5	1.4
Aldrin	309-00-2	1,4:5,8-Dimethano-naph-thalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a,-hexa-hydro (1a,4a, 4aβ,5β,8a,8aβ)	8081 8270 8081	0.05 10	0.0059 0.0059
Allyl chloride	107-05-1	1-Propene, 3-chloro-	8010 8260	5 100	0.17
4-Amino-biphenyl	92-67-1	[1,1'-Biphenyl]-4-amine	8270	10	0.918
Aniline	62-53-3	Benzenamine	8270	10	1.54
Anathracene	120-12-7	Anthracene	8100 8270	200 10	0.42
Antimony (Total)	7440-36-0	Antimony	6010 7040 7041	300 2000 30	3.14
Aramite	140-57-8	Sulfurous acid,2-chloro-ethyl 2-[4-(1,1-di-methylethyl) phenoxy]-1-methyl-ethyl ester	8270	10	0.99
Arsenic (Total)	7440-38-2	Arsenic	6010 7060 7061	500 10 20	4.41
Barium (Total)	7440-39-3	Barium	6010 7080	20 1000	1.04
Benzene	71-43-2	Benzene	8020 8260	2 5	0.16
Benzo[a]anthracene; Benzanthracene	56-55-3	Benz[a]anthracene	8100 8270	200 10	0.35
Benzo[b]-fluor-anthene	205-99-2	Benz[e]acephen-anthry- lene	8100 8270	200 10	0.39
Benzo[k]-fluor-anthene	207-08-9	Benzo[k]fluoranthene	8100 8270	200 10	0.46
Benzo[ghi]perylene	191-24-2	Benzo[ghi]perylene	8100 8270	200 10	0.5
Benzo[a]pyrene	50-32-8	Benzo[a]pyrene	8100 270	200 10	0.74
Benzyl alcohol	100-51-6	Benzenemethanol	8270	20	0.45
Beryllium (Total)	7440-41-7	Beryllium	6010 7090	3 50	0.474
alpha-BHC	319-84-6	Cyclohexane,1,2,3,4,5, 6-hexachloro-, (1a,2a,3β,4a,5β,6β)	8081 8250	0.05 10	0.0053

TABLE 1
LAC 33:V:3325 TABLE 4 LIST OF PARAMETERS ¹
CLEAN HARBORS BATON ROUGE, LLC LAD010395127-P

Common Name ²	CAS RN ³	Chemical Abstracts Service Index Name ⁴	Suggested Methods ⁵	PQL (µg/L) ⁶	PA-Denver MDL(µg/L)
beta-BHC	319-85-7	Cyclohexane, 1,2,3,4,5, 6-hexachloro-, (1α,2β,3α,4β,5α,6β)-	8081 8250	0.05 40	0.0087
delta-BHC	319-86-8	Cyclohexane, 1,2,3,4,5, 6-hexachloro-, (1α,2α,3α,4β,5α,6β)-	8081 8250	0.1 30	0.0058
gamma-BHC; Lindane	58-89-9	Cyclohexane, 1,2,3,4,5, 6-hexachloro-, (1α,2α,3β,4α,5α,6β)	8081 8250	0.05 10	0.0069
Bis(2-chloroethoxy) methane-	111-91-1	Ethane, 1,1'-(methyl-enebis(oxy))bis [2- chloro-	8270	10	0.32
Bis(2-chloroethyl) ether	111-44-4	Ethane, 1,1'-oxybis[2- chloro-	8270	10	0.41
Bis(2-chloro-1-methylethyl)ether; 2,2'-Dichlorodi- isopropyl ether	108-60-1	Propane, 2,2'-oxybis [1-chloro-	8010 8270	100 10	0.433
Bis(2-ethyl-hexyl) phthalat	117-81-7	1,2-Benzenedicarboxylic acid,bis(2-ethylhexyl) ester	8060 8270	20 10	0.56
Bromodichloro- methane	75-27-4	Methane, bromodichloro-	8010 8260	1 5	0.17
Bromoform;Tri-bromomethane	75-25-2	Methane, tribromo-	8010 8260	2 5	0.19
4-Bromophenyl-phenyl ether	101-55-3	Benzene,1-bromo-4-phenoxy-	8270	10	0.43
Butyl benzyl phthalate;Benzyl butyl phthalate	85-68-7	1,2-Benzenedicarboxylic acid, butyl phenyl- methyl ester	8060 8270	5 10	1
Cadmium (Total)	7440-43-9	Cadmium	6010 7130 7131	40 50 1	0.452
Carbon disulfide	75-15-0	Carbon disulfide	8260	5	0.45
Carbon tetrachloride	56-23-5	Methane, tetrachloro-	8010 8260	1 5	0.19
Chlordane	57-74-9	4,7-Methano-1H-indene, 1,2,4,5,6,7,8,8-octa-chloro- 2,3,3a,4,7,7a- hexahydro-	8081 8250	0.14 10	0.14
p-Chloroaniline	106-47-8	Benzenamine, 4 chloro-	8270	20	2
Chlorobenzene	108-90-7	Benzene, chloro-	8010 8260	2 2	0.17
Chloro- benzilate	510-15-6	Benzeneacetic acid, 4-chloro-α-(4-chloro- phenyl)-α- hydroxy-, ethyl ester	8270	10	0.657
p-Chloro- m-cresol	59-50-7	Phenol, 4-chloro-3- methyl-	8040 8270	5 20	2
Chloroethane; Ethyl chloride	75-00-3	Ethane, chloro-	8010 8260	5 10	0.3
Chloroform	67-66-3	Methane, trichloro-	8010 8260	0.5 5	0.16
2-Chloro- naphthalene	91-58-7	Naphthalene, 2-chloro-	8120 8270	10 10	0.31
2-Chlorophenol	95-57-8	Phenol, 2-chloro-	8040 8270	5 10	0.382
4-Chlorophenyl phenyl ether	7005-72-3	Benzene, 1-chloro-4- phenoxy-	8270	10	0.65
Chloroprene	126-99-8	1,3-Butadiene, 2-chloro-	8010 8260	50 5	0.14

TABLE 1
LAC 33:V:3325 TABLE 4 LIST OF PARAMETERS ¹
CLEAN HARBORS BATON ROUGE, LLC LAD010395127-P

Common Name ²	CAS RN ³	Chemical Abstracts Service Index Name ⁴	Suggested Methods ⁵	PQL (µg/L) ⁶	TA: Denver MDL (µg/L)
Chromium (Total)	7440-47-3	Chromium	6010 7190 7191	70 500 10	2.56
Chrysene	218-01-9	Chrysene	8100 8270	200 10	0.54
Cobalt (Total)	7440-48-4	Cobalt	6010 7200 7201	70 500 10	1.23
Copper (Total)	7440-50-8	Copper	6010 7210	60 200	4.49
m-Cresol	108-39-4	Phenol, 3-methyl-	8270	10	0.74
o-Cresol	95-48-7	Phenol, 2-methyl-	8270	10	0.98
p-Cresol	106-44-5	Phenol, 4-methyl-	8270	10	0.74
Cyanide	57-12-5	Cyanide	9010	40	0.0024
2,4-D; 2,4-Di-chlorophenoxy-acetic acid	94-75-7	Acetic acid, (2,4- dichlorophenoxy)-	8151	10	0.686
4,4'-DDD	72-54-8	Benzene 1,1'-(2,2- dichloroethylidene) bis[4-chloro-	8081 8270	0.1 10	0.0077
4,4'-DDE	72-55-9	Benzene, 1,1'-(dichloro- ethenylidene) bis[4- chloro-	8081 8270	0.05 10	0.0075
4,4'-DDT	50-29-3	Benzene, 1,1'-(2,2,2-trichloroethylidene) bis[4-chloro-	8081 8270	0.1 10	0.0148
Diallate	2303-16-4	Carbamothioic acid, bis(1-methylethyl)-, S-(2,3-dichloro-2-propenyl)ester	8081	10	0.193
Dibenz[a,h] anthracene	53-70-3	Dibenz[a,h]anthracene	8100 8270	200 10	0.51
Dibenzofuran	132-64-9	Dibenzofuran	8270	10	0.29
Dibromochloro-methane; Chlorodi-bromomethane	124-48-1	Methane, dibromo- chloro-	8010 8260	1 5	0.17
1,2-Dibromo-3chloropropane; DBCP	96-12-8	Propane, 1,2-dibromo- 3-chloro-	8010 8240 8260	100 5 10	1.5
1,2-Dibromoethane; Ethylene dibromide	106-93-4	Ethane, 1,2-dibromo-	8010 8260	10 5	0.18
Di-n-butyl phthalate	84-74-2	1,2-Benzenedicarboxylic acid, dibutyl ester	8060 8270	5 10	1.16
o-Dichlorobenzene	95-50-1	Benzene, 1,2-dichloro-	8010 8020 8120 8270	2 5 10 10	0.28
m-Dichlorobenzene	541-73-1	Benzene, 1,3-dichloro-	8010 8020 8120 8270	5 5 10 10	0.29

TABLE 1
LAC 33:V:3325 TABLE 4 LIST OF PARAMETERS ¹
CLEAN HARBORS BATON ROUGE, LLC LAD010395127-P

Common Name ²	CAS RN ³	Chemical Abstracts Service Index Name ⁴	Suggested Methods ⁵	PQL (µg/L) ⁶	TA-Denver MDL(µg/L)
p-Dichlorobenzene	106-46-7	Benzene, 1,4-dichloro-	8010 8020 8120 8270	2 5 15 10	0.3
3,3'-Dichloro- benzidine	91-94-1	[1,1'-Biphenyl]4,4'- diamine, 3,3'-dichloro-	8270	20	2
trans-1,4- Dichloro-2-butene	110-57-6	2-Butene,1,4- dichloro-, (E)-	8260	5	0.8
Dichlorodifluoro- methane	75-71-8	Methane, dichloro- difluoro-	8010 8260	10 5	0.31
1,1-Dichloro-ethane	75-34-3	Ethane,1,1-dichloro-	8010 8260	1 5	0.16
1,2-Dichloro-ethane; Ethylene dichloride	107-06-2	Ethane, 1,2-dichloro-	8010 8260	0.5 5	0.13
1,1-Dichloro- ethylene; Vinylidene chloride	75-35-4	Ethene, 1,1-dichloro-	8010 8260	1 5	0.14
trans-1,2- Dichloroethylene	156-60-5	Ethene,1,2-dichloro-(E)-	8010 8240	1 5	0.15
2,4-Dichlorophenol	120-83-2	Phenol, 2,4-dichloro-	8040 8270	5 10	1.3
2,6-Dichlorophenol	87-65-0	Phenol, 2,6-dichloro-	8270	10	1.05
1,2-Dichloro-propane	78-87-5	Propane, 1,2- dichloro-	8010 8260	0.5 5	0.13
cis-1,3- Dichloro- propene	10061-01-5	1-Propene, 1,3- dichloro-, (Z)-	8010 8260	20 5	0.16
trans-1,3- Dichloropropene	10061-02-6	1-Propene, 1,3- dichloro-, (E)-	8010 8260	5 5	0.19
Dieldrin	60-57-1	2,7:3,6-Dimethanonaphth [2,3-b]oxirene,3,4,5, 6,9,9-hexachloro-1a,2,2a,3,6,6a,7,7a-octahydro-, (1aα,2β,2aα,3β,6β,6aα,7β,7aα)-	8081 8270	0.05 10	0.0063
Diethyl phthalate	84-66-2	1,2-Benzenedicarboxylic acid, diethyl ester	8060 8270	5 10	0.38
O,O-Diethyl O-2-pyrazinyl phosphorothioate; Thionazin	297-97-2	Phosphorothioic acid, O,O-diethyl O-pyrazinyl ester	8141	10	0.312
Dimethoate	60-51-5	Phosphorodithioic acid, O,O-dimethyls-[2-(methylamino)-2-oxoethyl] ester	8141	10	0.449
p-(Dimethyl-amino)azobenzene	60-11-7	Benzenamine, N,N-di-methyl-4- (phenylazo)-	8270	10	2
7,12-Dimethyl- benz[a] anthracene	57-97-6	Benz[a]anthracene, 7,12-dimethyl-	8270	10	0.821
3,3'-Dimethyl- benzidine	119-93-7	[1,1'-Biphenyl]-4,4'- diamine, 3,3'-dimethyl-	8270	10	0.56
alpha, alpha- Dimethyl-phenethylamine	122-09-8	Benzenethanamine, α,α-dimethyl-	8270	10	
2,4-Dimethyl- phenol	105-67-9	Phenol, 2,4-dimethyl-	8040	5	0.566
Dimethyl phthalate	131-11-3	1,2-Benzenedicarboxylic acid, dimethyl ester	8060 8270	5 10	1
m-Dinitrobenzene	99-65-0	Benzene, 1,3-dinitro-	8270	10	2
4,6-Dinitro-o- cresol	534-52-1	Phenol, 2-methyl-4,6- dinitro-	8040 8270	150 50	0.35
2,4-Dinitrophenol	51-28-5	Phenol, 2,4-dinitro-	8040 8270	150 50	20

TABLE 1
LAC 33:V:3325 TABLE 4 LIST OF PARAMETERS ¹
CLEAN HARBORS BATON ROUGE, LLC LAD010395127-P

Common Name ²	CAS RN ³	Chemical Abstracts Service Index Name ⁴	Suggested Methods ⁵	PQL (µg/L) ⁶	TA: Denver MDL (µg/L)
2,4-Dinitro- toluene	121-14-2	Benzene, 1-methyl-2, 4-dinitro-	8090 8270	0.2 10	0.25
2,6-Dinitro- toluene	606-20-2	Benzene, 2-methyl- 1,3-dinitro-	8090 8270	0.1 10	0.23
Dinoseb; DNBP; 2-sec-Butyl- 4,6-dinitrophenol	88-85-7	Phenol, 2-(1-methyl- propyl)-4,6-dinitro-	8150 8270	1 10	0.35
Di-n-octyl phthalate	117-84-0	1,2-Benzenedicarboxylic acid, dioctyl ester	8060 8270	30 10	0.35
1,4-Dioxane	123-91-1	1,4-Dioxane	8260	150	71
Diphenylamine	122-39-4	Benzenamine, N-phenyl-	8270	10	1.06
Disulfoton	298-04-4	Phosphorodithioic acid, O,O-diethyl S-[2-(ethylthio)ethyl]ester	8141 8270	2 10	0.144
Endosulfan I	959-98-8	6,9-Methano-2,4,3- benzodioxathiepin 6,7,8, 9,10,10-hexachloro-1,5,5a,6,9a-hexahydro-, 3-oxide, (3α,5αβ,6α,9α,9αβ)-	8081 8250	0.1 10	0.0058
Endosulfan II	3213-65-9	6,9-Methano-2,4,3- benzodioxathiepin, 6,7,8,9,10,10-hexa-chloro- 1,5,5a,6,9,9a-hexahydro-, 3-oxide, (3α,5αα,6β,9β,9αα)-	8081	0.05	0.007
Endosulfan sulfate	1031-07-8	6,9-Methano-2,4,3- benzodioxathiepin, 6,7,8,9,10,10-hexa-chloro- 1,5,5a,6,9,9a- hexahydro-, 3,3-dioxide	8081 8270	0.5 10	0.0057
Endrin	72-20-8	2,7:3,6-Dimethanonaphth[2,3-b]oxirene,3,4,5,6,9,9-hexachloro-1a,2,2a,3,6,6a,7,7a-octahydro-, (1α,2β,2aβ, 3α,6α,6aβ, 7β,7αα)-	8081 8250	0.1 10	0.0079
Endrin aldehyde	7421-93-4	1,2,4-Methenocyclopenta[cd] pentalene- 5-carboxaldehyde, 2,2a,3,3,4,7-hexachloro-decahydro-, (1α,2β,2aβ, 4β,4aβ,5β,6aβ,6bβ,7R*)-	8081 8270	0.2 10	0.0088
Ethylbenzene	100-41-4	Benzene, ethyl-	8020 8260	2 5	0.16
Ethyl methacrylate	97-63-2	2-Propenoic acid, 2-methyl-, ethyl ester	8015 8240 8260	10 5 10	0.86
Ethyl methane- sulfonate	62-50-0	Methanesulfonic acid, ethyl ester	8270	10	0.943
Famphur	52-85-7	Phosphorothioic acid, O-[4-[(dimethylamino) sulfonyl]phenyl]-O,O-di-methyl ester	8141	10	0.179
Fluoranthene	206-44-0	Fluoranthene	8100	200 1	0.2
Fluorene	86-73-7	9H-Fluorene	8100 8270	200 10	0.31
Heptachlor	76-44-8	4,7-Methano-1H-indene, 1,4,5,6,7,8,8-hepta-chloro-3a,4,7,7a-tetrahydro-	8081 8270	0.05 10	0.0077

TABLE 1
LAC 33:V:3325 TABLE 4 LIST OF PARAMETERS ¹
CLEAN HARBORS BATON ROUGE, LLC LAD010395127-P

Common Name ²	CAS-RN ³	Chemical Abstracts Service Index Name ⁴	Suggested Methods ⁵	PQL (µg/L) ⁶	TA Denver MDL(µg/L)
Heptachlor epoxide	1024-57-3	2,5-Methano-2H-indeno [1,2-b]oxirene,2,3,4,5, 6,7,7-heptachloro- 1a,1b,5,5a, 6,6a hexa-hydro-, (1aα,1bβ,2α,5α,5aβ,6β,6aα)	8081 8270	1 10	0.0075
Hexachlorobenzene	118-74-1	Benzene, hexachloro-	8120 8270	0.5 10	0.66
Hexachlorobutadiene	87-68-3	1,3-Butadiene, 1,1,2,3,4,4- hexachloro-	8120 8270	5 10	0.51
Hexachloro- cyclopentadiene	77-47-4	1,3-Cyclopentadiene, 1,2,3,4,5,5-hexachloro-	8120 8270	5 10	1.53
Hexachloroethane	67-72-1	Ethane, hexachloro-	8120 8270	0.5 10	0.46
Hexachlorophene	70-30-4	Phenol,2,2'-methyl-enebis [3,4,6- tri-chloro-	8270 8270	10 10	No MDL ¹⁰
Hexachloropropene	1888-71-7	1-Propene,1,1,2,3,3,3-hexachloro	8270	10	2
2-Hexanone	591-78-6	2-Hexanone	8260	50	1.4
Indeno(1,2,3- cd) pyrene	193-39-5	Indeno[1,2,3-cd] pyrene	8100 8270	200 10	0.65
Isobutyl alcohol	78-83-1	1-Propanol, 2-methyl-	8260	50	36.5
Isodrin	465-73-6	1,4,5,8-Dimethano-naphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a-hexahydro- (1a,4a,4aβ, 5β,8β,8aβ) -	8081	10	0.0039
Isophorone	78-59-1	2-Cyclohexen-1-one,3,5,5-trimethyl-	8090 8270	60 10	0.21
Isosafrole	120-58-1	1,3-Benzodioxole,5-(1-propenyl)-	8270	10	1.2
Keponc	143-50-0	1,3,4-Metheno-2H-cylo-buta-[cd]pentalen-2-one, 1,1a,3,3a,4,5,5,5a,5b,6-decachloroocta-hydro-	8081	10	0.348
Lead (Total)	7439-92-1	Lead	6010 7420 7421	40 1000 10	2.61
Mercury (Total)	7439-97-6	Mercury	7470	2	0.0272
Methacrylonitrile	126-98-7	2-Propenenitrile, 2-methyl-	8015 8260	5 5	1.6
Methapyrilene	91-80-5	1,2-Ethanediamine, N,N- dimethyl-N'-2-pyridinyl-N'-(2-thienylmethyl)-	8270	10	20
Methoxychlor	72-43-5	Benzene,1,1'-(2,2,2, trichloroethylidene) bis[4-methoxy-	8081 8270	2 10	0.013
Methyl bromide; Bromomethane	74-83-9	Methane, bromo-	8010 8260	20 10	0.21
Methyl chloride; Chloromethane	74-87-3	Methane, chloro-	8010 8260	1 10	0.3
3-Methyl-choanthrene	56-49-5	Benz[<i>j</i>]accanthrylene, 1,2-dihydro-3-methyl-	8270	10	1
Methylene bromide; Dibromomethane	74-95-3	Methane, dibromo-	8010 8260	15 5	0.17
Methylene chloride; Dichloromethane	75-09-2	Methane, dichloro-	8010 8260	5 5	0.32

TABLE 1
LAC 33:V:3325 TABLE 4 LIST OF PARAMETERS ¹
CLEAN HARBORS BATON ROUGE, LLC LAD010395127-P

Common Name ²	CAS-RN ³	Chemical Abstracts Service Index Name ⁴	Suggested Methods ⁵	PQL (µg/L) ⁶	TA, Denver MDL(µg/L)
Methyl ethyl ketone; MEK	78-93-3	2-Butanone	8015 8260	10 100	1.83
Methyl iodide; Iodomethane	74-88-4	Methane, iodo-	8010 8260	40 5	0.23
Methylmethacrylate	80-62-6	2-Propenoic acid, 2- methyl-, methyl ester	8015 8260	2 5	1.11
Methyl methanesulfonate	66-27-3	Methanesulfonic acid, methyl ester	8270	10	0.934
2-Methyl-naphthalene	91-57-6	Naphthalene, 2-methyl-	8270	10	0.29
Methyl parathion; Parathion methyl	298-00-0	Phosphorothioic acid, O,O-dimethyl O-(4-nitrophenyl)ester	8141 8270	0.6 10	0.588
4-Methyl-2- pentanone; Methyl isobutyl ketone	108-10-1	2-Pentanone, 4-methyl	8015 8260	5 50	0.49
Naphthalene	91-20-3	Naphthalene	8100 8270	200 10	0.29
1,4-Naphthoquinone	130-15-4	1,4-Naphthalene-dione	8270	10	2
1-Naphthylamine	134-32-7	1-Naphthalenamine	8270	10	1
2-Naphthylamine	91-59-8	2-Naphthalenamine	8270	10	1
Nickel (Total)	7440-02-0	Nickel	6010 7520	50 400	7.78
o-Nitroaniline	88-74-4	Benzenamine, 2-nitro-	8270	50	0.32
m-Nitroaniline	99-09-2	Benzenamine, 3-nitro-	8270	50	2
p-Nitroaniline	100-01-6	Benzenamine, 4-nitro-	8270	50	1
Nitrobenzene	98-95-3	Benzene, nitro-	8090 8270	40 10	0.81
o-Nitrophenol	88-75-5	Phenol, 2-nitro-	8040 8270	5 10	2
p-Nitrophenol	100-02-7	Phenol, 4-nitro-	8270	10	1.74
4-Nitroquinoline, 1-oxide	56-57-5	Quinoline, 4-nitro-, 1-oxide	8270	10	5
N-Nitrosodi-n- butylamine	924-16-3	1-Butanamine, N-butyl-N-nitroso	8270	10	2
N-Nitroso-diethylamine	55-18-5	Ethanamine, N-ethyl- N-nitroso	8270	10	1.1
N-Nitroso- dimethylamine	62-75-9	Methanamine, N- methyl-N-nitroso-	8270	10	0.29
N-Nitroso- diphenylamine	86-30-6	Benzenamine, N-nitroso-N-phenyl-	8270	10	0.44
N-Nitrosodipropyl-amine;Di-n-propyl-nitrosamine	621-64-7	1-Propanamine, N-nitroso-N-propyl-	8270	10	0.35
N-Nitrosom-ethylethylamine	10595-95-6	Ethanamine, N-methyl- N-nitroso-	8270	10	0.96
N-Nitrosomor- pholine	59-89-2	Morpholine, 4-nitroso-	8270	10	2
N-Nitrosopiperi- dine	100-75-4	Piperidine, 1- nitroso-	8270	10	2
N-Nitrosopyrroli- dine	930-55-2	Pyrolidine, 1- nitroso-	8270	10	0.804
5-Nitro-o- toluidine	99-55-8	Benzenamine,2-methyl-5-nitro-	8270	10	2
Parathion	56-38-2	Phosphorothioic acid, O,O-diethyl-O-(4-nitro-phenyl) ester	8141	10	0.288
Polychlorinated biphenyls; PCBs	See Note 7	1,1'-Biphenyl, chloro derivatives	8080 8082	50 100	0.09-0.214
Polychlorinated dibenzo-p-dioxins; PCDDs	See Note 8	Dibenzo[b,e][1,4]dioxin, chloro derivatives	8280	0.01	
Polychlorinated dibenzofurans; PCDFs	See Note 9	Dibenzofuran, chloro derivatives	8280	0.01	
Pentachlorobenzene	608-93-5	Benzene, pentachloro-	8270	10	2

TABLE 1
LAC 33:V:3325 TABLE 4 LIST OF PARAMETERS ¹
CLEAN HARBORS BATON ROUGE, LLC LAD010395127-P

Common Name ²	CAS RN ³	Chemical Abstracts Service Index Name ⁴	Suggested Methods ⁵	PQL (µg/L) ⁶	TA-Denver MDL(µg/L)
Pentachloroethane	76-01-7	Ethane, pentachloro-	8240 8270	5 10	2
Pentachloro- nitrobenzene	82-68-8	Benzene, pentachloro- nitro-	8270	10	2
Pentachlorophenol	87-86-5	Phenol, pentachloro-	8040 8270	5 50	20
Phenacetin	62-44-2	Acetamide, N-(4- ethoxyphenyl)	8270	10	1.08
Phenanthrene	85-01-8	Phenanthrene	8100 8270	200 10	0.26
Phenol	108-95-2	Phenol	8040 8270	1 10	0.31
p-Phenylenediamine	106-50-3	1,4-Benzenediamine	8270	10	5
Phorate	298-02-2	Phosphorodithioic acid, O,O-diethyl S-[(ethylthio)methyl] ester	8141 8270	2 10	0.304
2-Picoline	109-06-8	Pyridine, 2-methyl-	8240 8270	5 10	3
Pronamide	23950-58-5	Benzamide, 3,5-dichloro-N-(1,1-dimethyl-2-propynyl)-	8270	10	2
Propionitrile; Ethyl cyanide	107-12-0	Propanenitrile	8015 8260	60 5	3.7
Pyrene	129-00-0	Pyrene	8100 8270	200 10	0.37
Pyridine	110-86-1	Pyridine	8240 8270	5 10	1.7
Safole	94-59-7	1,3-Benzodioxole, 5- (2-propenyl)-	8270	10	1.13
Selenium (Total)	7782-49-2	Selenium	6010 7740 7741	750 20 20	4.86
Silver (Total)	7440-22-4	Silver	6010 7760	70 100	2.78
Silvex; 2,4,5-TP	93-72-1	Propanoic acid,2-(2,4, 5-trichlorophenoxy)-	8151	2	0.248
Styrene	100-42-5	Benzene, ethenyl-	8020 8260	15 5	1
Sulfide	18496-25-8	Sulfide	9030	10000	1
2,4,5-T; 2,4,5- Trichlorophenoxy-acetic acid	93-76-5	Acetic acid, (2,4,5- trichlorophenoxy)-	8151	2	0.195
2,3,7,8-TCDD; 2,3,7,8-Tetra-chlorodibenzo-p-dioxin	1746-01-6	Dibenzo[b,e][1,4]dioxin, 2,3,7,8-tetrachloro-	8280	0.005	
1,2,4,5-Tetra- chlorobenzene	95-94-3	Benzene, 1,2,4,5-tetrachloro-	8270	10	2
1,1,1,2-Tetra- chloroethane	630-20-6	Ethane, 1,1,1,2- tetrachloro-	8010 8260	5 5	0.17
1,1,2,2-Tetra- chloroethane	79-34-5	Ethane, 1,1,2,2- tetrachloro-	8010 8260	0.5 5	0.2
Tetrachloro- ethylene; Perchloroethylene; Tetrachloroethene	127-18-4	Ethene, tetrachloro-	8010 8260	0.5 5	0.2
2,3,4,6-Tetra- chlorophenol	58-90-2	Phenol, 2,3,4,6- tetrachloro-	8270	10	2
Tetraethyl dithio-pyrophosphate; Sulfotep	3689-24-5	Thiodiphosphoric acid ([(HO) ₂ P(S)] ₂ O), tetraethyl ester	8141	10	0.5

TABLE 1
LAC 33:V:3325 TABLE 4 LIST OF PARAMETERS ¹
CLEAN HARBORS BATON ROUGE, LLC LAD010395127-P

Common Name ²	CAS RN ³	Chemical Abstracts Service Index Name ⁴	Suggested Methods ⁵	PQL (µg/L) ⁶	TA Denver MDL (µg/L)
Thallium (Total)	7440-28-0	Thallium	6010 7840 7841	400 1000 10	4.91
Tin (Total)	7440-31-5	Tin	7870	8000	6
Toluene	108-88-3	Benzene, methyl-	8020 8260	2 5	0.17
o-Toluidine	95-53-4	Benzenamine, 2-methyl-	8270	10	0.903
Toxaphene	8001-35-2	Toxaphene	8081 8250	2 10	0.367
1,2,4-Tri-chlorobenzene	120-82-1	Benzene, 1,2,4-trichloro-	8270	10	0.45
1,1,1-Tri-chloroethane; Methylchloroform	71-55-6	Ethane, 1,1,1-trichloro-	8260	5	0.16
1,1,2-Tri- chloroethane	79-00-5	Ethane, 1,1,2-,trichloro-	8010 8260	0.2 5	0.32
Trichloro- ethylene; Trichloroethene	79-01-6	Ethene, trichloro-	8010 8260	1 5	0.16
Trichlorofluoro-methane	75-69-4	Methane,trichlorofluoro-	8010 8260	10 5	0.29
2,4,5-Tri- chlorophenol	95-95-4	Phenol, 2,4,5-trichloro-	8270	10	0.39
2,4,6-Tri- chlorophenol	88-06-2	Phenol, 2,4,6-trichloro-	8040 8270	5 10	0.37
1,2,3-Tri- chloropropane	96-18-4	Propane, 1,2,3-tri-chloro-	8010 8260	10 5	0.27
O,O,O-Triethyl phosphorothioate	126-68-1	Phosphorothioic acid, O,O,O-triethyl ester	8270	10	
sym-Trinitro- benzene	99-35-4	Benzene, 1,3,5- trinitro	8270	10	2
Vanadium (Total)	7440-62-2	Vanadium	6010 7910 7911	80 2000 40	2.47
Vinyl acetate	108-05-4	Acetic acid, ethenyl ester	8260	5	0.94
Vinyl chloride	75-01-4	Ethene, chloro-	8010 8260	2 10	0.17
Xylene (total)	1330-20-7	Benzene, dimethyl-	8020 8260	5 5	0.19
Zinc (Total)	7440-66-6	Zinc	6010 7950	20 50	4.53

¹ The regulatory requirements pertain only to the list of substances; the right-hand columns (Methods and PQL) are given for informational purposes only. See also footnotes 5 and 6.

² Common names are those widely used in government regulations, scientific publications, and commerce; synonyms exist for many chemicals.

³ Chemical Abstracts Service registry number. Where "Total" is entered, all species in the ground water that contain this element are included.

⁴ CAS index names are those used in the ninth Cumulative Index.

TABLE 1
LAC 33:V:3325 TABLE 4 LIST OF PARAMETERS ¹
CLEAN HARBORS BATON ROUGE, LLC LAD010395127-P

Common Name ²	CAS RN ³	Chemical Abstracts Service Index Name ⁴	Suggested Methods ⁵	PQL (µg/L) ⁶	TA Denver MDL (µg/L)
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⁵ Suggested Methods refer to analytical procedure numbers used in EPA Report SW-846, *Test Methods for Evaluating Solid Waste*, Third Edition. Analytical details can be found in SW-846 and in documentation on file at the agency. The packed column gas chromatography methods 8010, 8020, 8030, 8040, 8060, 8080, 8090, 8110, 8120, 8140, 8150, 8240, and 8250 were promulgated methods through Update IIB of SW-846 and, as of Update III, the agency has replaced these methods with "capillary column GC methods," as the suggested methods. Caution: The methods listed are representative SW-846 procedures and may not always be the most suitable method(s) for monitoring an analyte under the regulations.

⁶ Practical Quantitation Limits (PQLs) are the lowest concentrations of analytes in ground waters that can be reliably determined within specified limits of precision and accuracy by the indicated methods under routine laboratory operating conditions. The PQLs listed are generally stated to one significant figure. Caution: The PQL values in many cases are based only on a general estimate for the method and not on a determination for individual compounds; PQLs are not a part of the regulation.

⁷ Polychlorinated biphenyls (CAS RN 1336-36-3); this category contains congener chemicals, including constituents of Aroclor-1016 (CAS RN 12674-11-2), Aroclor-1221 (CAS RN 11104-28-2), Aroclor-1232 (CAS RN 11141-16-5), Aroclor-1242 (CAS RN 53469-21-9), Aroclor-1248 (CAS RN 12672-29-6), Aroclor-1254 (CAS RN 11097-69-1), and Aroclor-1260 (CAS RN 11096-82-5). The PQL shown is an averaged value for PCB congeners.

⁸ This category contains congener chemicals, including tetrachlorodibenzo-p-dioxins (see also 2,3,7,8-TCDD), pentachlorodibenzo-p-dioxins, and hexachlorodibenzo-p-dioxins. The PQL shown is an average value for PCDD congeners.

⁹ This category contains congener chemicals, including tetrachlorodibenzofurans, pentachlorodibenzofurans, and hexachlorodibenzofurans. The PQL shown is an average value for PCDF congeners.

¹⁰ The result for hexachlorophene is a presence/absence type of analysis. A single-point standard was run at 1,000 µg/L to demonstrate the retention time, instrument response, and mass spectra for the compound. Estimated detection limits range from 30-330 µg/L. The laboratory does not have an MDL for this compound by Method 625/8270 because, as noted by the EPA (ref. 8270C), the compound is subject to non-reproducible chromatographic performance due to adsorption to walls of glassware during extraction and storage.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 16:399 (May 1990), amended LR 18:1256 (November 1992), amended by the Office of Waste Services, Hazardous Waste Division, LR 24:1742 (September 1998).

REPORT NOTE: LAC 33:V:3325 Table 4 was last amended in September 1998 and does not reflect the most recent updates and methods used by LA-accredited laboratories. Current methods used for analysis at the Clean Harbors Baton Rouge Facility include but not limited to: 8260A, 8270C, 6010B, 9010B, 8082, 8081 and 7470A. For updated list see SAP Table 4.

TABLE 2
CLEAN HARBORS BATON ROUGE, LLC – LAD010395127-P
COMPLIANCE MONITORING SCHEDULE

Compliance Wells - Upgradient

Well I.D.	Unit/ Zone	Gradient (1)	Sampling Frequency (1Q: First Quarter 3Q: Third Quarter)			
			Table 4 (2) (Triennial) (i.e. every 3 years)	VOC (3)	Metals (4)	RAD (5) (Triennial) (i.e., every 3 years)
1A	3/A	U		1Q	1Q	1Q
1B	4/B-1	U		1Q	1Q	1Q
1C	8/C	U		1Q	1Q	1Q
2A	3/A	N		1Q	1Q	1Q
3A	3/A	N		1Q	1Q	1Q
SM-10	3/A	N		1Q	1Q	1Q
DM-1	6/B-2	N		1Q	1Q	1Q
OB-33	4/B-1	U		1Q	1Q	1Q
11C	8/C	U		1Q	1Q	1Q
14A	3/A	U		1Q	1Q	1Q
14B	4/B-1	U		1Q	1Q	1Q
14C	8/C	U		1Q	1Q	1Q
11A	3/A	U	1Q	1Q & 3Q		1Q

(1) U:Upgradient D:Downgradient N: Neither defined as upgradient nor downgradient

(2) Table 4 – Refers to LAC 33:V.3325 Table 4

(3) Volatile Organic Constituents (Method 8260B)

(4) Priority Pollutant Metals (Total Metals)

(5) Radionuclides (Gross alpha, Gross beta, Radium)

TABLE 2
CLEAN HARBORS BATON ROUGE, LLC – LAD010395127-P
COMPLIANCE MONITORING SCHEDULE

Compliance Wells - Upgradient

Well I.D.	Unit/ Zone	Gradient (1)	Sampling Frequency (1Q: First Quarter 3Q: Third Quarter)			
			Table 4 (2) (Triennial) (i.e. every 3 years)	VOC (3)	Metals (4)	RAD (5) (Triennial) (i.e., every 3 years)
11B	6/B-2	U	1Q	1Q & 3Q		1Q
16A	3/A	U	1Q	1Q & 3Q		1Q
26A	4/B-1	U	1Q	1Q & 3Q		1Q
39A	3/A	U	1Q	1Q & 3Q		1Q
39B-2	6/B-2	U	1Q	1Q & 3Q		1Q
40A	3/A	U	1Q	1Q & 3Q		1Q
40B-2	6/B-2	U	1Q	1Q & 3Q		1Q
43A	3/A	U	1Q	1Q & 3Q		1Q
54B-1	4/B-1	U	1Q	1Q & 3Q		1Q

(1) U:Upgradient D:Downgradient N: Neither defined as upgradient nor downgradient

(2) Table 4 – Refers to LAC 33:V.3325 Table 4

(3) Volatile Organic Constituents (Method 8260B)

(4) Priority Pollutant Metals (Total Metals)

(5) Radionuclides (Gross alpha, Gross beta, Radium)

TABLE 2
CLEAN HARBORS BATON ROUGE, LLC – LAD010395127-P
COMPLIANCE MONITORING SCHEDULE

Compliance Wells - Downgradient

Well I.D.	Unit/ Zone	Gradient (1)	Sampling Frequency (1Q: First Quarter 3Q: Third Quarter)			
			Table 4 (2) (Triennial) (i.e. every 3 years)	VOC (3)	Metals (4)	RAD (5) (Triennial) (i.e., every 3 years)
7A	3/A	D		1Q & 3Q		1Q
7B	4/B-1	D		1Q & 3Q		1Q
12A	3/A	D		1Q & 3Q		1Q
13C	8/C	D		1Q & 3Q		1Q
20A	4/B-1	D		1Q & 3Q		1Q
41A	3/A	D		1Q & 3Q		1Q
47B-1	4/B-1	D		1Q & 3Q		1Q
53C	8/C	D		1Q & 3Q		1Q
SM-3	3/A	D		1Q & 3Q		1Q

(1) U:Upgradient D:Downgradient N: Neither defined as upgradient nor downgradient

(2) Table 4 – Refers to LAC 33:V.3325 Table 4

(3) Volatile Organic Constituents (Method 8260B)

(4) Priority Pollutant Metals (Total Metals)

(5) Radionuclides (Gross alpha, Gross beta, Radium)

TABLE 2
CLEAN HARBORS BATON ROUGE, LLC – LAD010395127-P
COMPLIANCE MONITORING SCHEDULE

Corrective Action Wells

Well I.D.	Unit/ Zone	Gradient (1)	Sampling Frequency (semi-annual)			
			Table 4 (2) (Triennial) (i.e. every 3 years)	VOC (3)	Metals (4)	RAD (5) (Triennial) (i.e., every 3 years)
I-4	6/B-2	D		Semi-annual		
I-5	3/4 A/B-1	D		Semi-annual		
I-10	3/4 A/B-1	D		Semi-annual		

(1) U:Upgradient D:Downgradient N: Neither defined as upgradient nor downgradient

(2) Table 4 – Refers to LAC 33:V.3325 Table 4

(3) Volatile Organic Constituents (Method 8260B)

(4) Priority Pollutant Metals (Total Metals)

(5) Radionuclides (Gross alpha, Gross beta, Radium)

TABLE 2
CLEAN HARBORS BATON ROUGE, LLC – LAD010395127-P
COMPLIANCE MONITORING SCHEDULE

Compliance Point Wells

Well I.D.	Unit/ Zone	Gradient (1)	Sampling Frequency (semi-annual)			
			Table 4 (2)	VOC (3)	Metals (4)	RAD (5) (Triennial) (i.e., every 3 years)
13A-R	3/A	D	Annual	1Q & 3Q		
13B-1	4/B-1	D	Annual	1Q & 3Q		
13B-2	6/B-2	D	Annual	1Q & 3Q		

(1) U:Upgradient D:Downgradient N: Neither defined as upgradient nor downgradient

(2) Table 4 – Refers to LAC 33:V.3325 Table 4

(3) Volatile Organic Constituents (Method 8260B)

(4) Priority Pollutant Metals (Total Metals)

(5) Radionuclides (Gross alpha, Gross beta, Radium)

HAZARDOUS AND SOLID WASTE AMENDMENTS (HSWA)

VII. GENERAL CONDITIONS PURSUANT TO THE HAZARDOUS AND SOLID WASTE AMENDMENTS

VII.A. STANDARD CONDITIONS

VII.A.1. Waste Minimization

Annually, by March 1, for the previous year ending December 31, the Permittee shall enter into the operating record as required by LAC 33:V.1529.B.19, a statement certified according to LAC 33:V.513.A specifying that the Permittee has a program in place to reduce the volume and toxicity of hazardous wastes generated by the facility's operation to the degree determined by the Permittee to be economically practicable; and that the proposed method of treatment, storage, or practicable disposal method that is currently available to the Permittee minimizes the present and future threat to human health and the environment. A current description of the program shall be maintained in the operating record and a copy of the annual certified statement shall be submitted to the Administrative Authority. The following criteria should be considered for the program:

- VII.A.1.a.** Any written policy or statement that outlines goals, objectives, and/or methods for source reduction and recycling of hazardous waste at the facility;
- VII.A.1.b.** Any employee training or incentive programs designed to identify and implement source reduction and recycling opportunities;
- VII.A.1.c.** An itemized list of the dollar amounts of capital expenditures (plant and equipment) and operating costs devoted to source reduction and recycling of hazardous waste;
- VII.A.1.d.** Factors that have prevented implementation of source reduction and/or recycling;
- VII.A.1.e.** Sources of information on source reduction and/or recycling received at the facility (e.g., local government, trade associations, suppliers, etc.);
- VII.A.1.f.** An investigation of additional waste minimization efforts that could be implemented at the facility. This investigation would analyze the potential for reducing the quantity and toxicity of each waste stream through production reformulation, recycling, and all other appropriate means. The analysis would include an assessment of the technical feasibility, cost, and potential waste

reduction for each option;

- VII.A.1.g. A flow chart or matrix detailing all hazardous wastes the facility produces by quantity, type, and building/area;
- VII.A.1.h. A demonstration of the need to use those processes that produce a particular hazardous waste due to a lack of alternative processes or available technology that would produce less hazardous waste;
- VII.A.1.i. A description of the waste minimization methodology employed for each related process at the facility. The description should show whether source reduction or recycling is being employed;
- VII.A.1.j. A description of the changes in volume and toxicity of waste actually achieved during the year in comparison to previous years; and
- VII.A.1.k. The Permittee may meet the requirements for waste minimization by developing an Environmental Management System according to the EPA document, Integrated Environmental Management System Implementation Guide, EPA 744-R-00-011, October 2000, found on www.epa.gov/opptintr/dfe/pubs/iems/iems_guide/index.htm.

VII.A.2. Dust Suppression

Pursuant to LAC 33:V.4139.B.4, and the Toxic Substances Control Act, the Permittee shall not use waste or used oil or any other material which is contaminated with dioxin, polychlorinated biphenyls (PCBs), or any other hazardous waste (other than a waste identified solely on the basis of ignitability), for dust suppression or road treatment.

VII.A.3. Failure to Disclose

The Permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts at any time may be cause for termination or modification of this Permit in accordance with LAC 33:323.B.2 and 3.

VII.A.4. Suspension, Modification, or Revocation and Reissuance, and Termination of Permit

This Permit may be modified, revoked and reissued, or terminated for cause as specified in LAC 33:V.323. The filing of a request by the Permittee for a permit modification, revocation and reissuance, termination, or the notification of planned changes or anticipated noncompliance on the part of the Permittee,

does not stay the applicability or enforceability of any permit condition.

- VII.A.4.a.** If the Administrative Authority tentatively decides to modify or revoke and reissue a permit under LAC 33:V.321.C. or 323, a draft permit shall be prepared incorporating the proposed changes. The Administrative Authority may request additional information and, in the case of a modified permit, may require the submission of an updated permit application.
- VII.A.4.b.** The Permittee may initiate permit modification proceedings under LAC 33:V.321.C. All applicable requirements and procedures as specified in LAC 33:V.321.C shall be followed.
- VII.A.4.c.** Modifications of this Permit do not constitute a reissuance of the Permit.

VII.A.5. Permit Review

This Permit may be reviewed by the Administrative Authority five years after the date of permit issuance and may be modified as necessary as provided for in LAC 33:V.321.C. Nothing in this section shall preclude the Administrative Authority from reviewing and modifying the Permit at any time during its term.

VII.A.6. Compliance with Permit

Compliance with a RCRA permit during its term constitutes compliance, for purposes of enforcement, with subtitle C of RCRA except for those requirements not included in the permit which:

- VII.A.6.a.** Become effective by statute;
- VII.A.6.b.** Are promulgated under LAC 33:V.Chapter 22 restricting the placement of hazardous wastes in or on the land; or
- VII.A.6.c.** Are promulgated under LAC 33:V.Chapters 23, 25 and 29 regarding leak detection systems for new and replacement surface impoundment, waste pile, and landfill units, and lateral expansions of surface impoundment, waste pile, and landfill units. The leak detection system requirements include double liners, construction quality assurance (CQA) programs, monitoring action leakage rates, and response action plans, and will be implemented through the procedures of LAC 33:V.321.C Class 1 permit modifications.

VII.A.7. Specific Waste Ban

- VII.A.7.a.** The Permittee shall not place in any land disposal unit the wastes specified in LAC 33:V. Chapter 22 after the effective date of the prohibition unless the Administrative Authority has established disposal or treatment standards for the hazardous waste and the Permittee meets such standards and other applicable conditions of this Permit.
- VII.A.7.b.** The Permittee may store wastes restricted under LAC 33:V.Chapter 22 solely for the purpose of accumulating quantities necessary to facilitate proper recovery, treatment, or disposal provided that it meets the requirements of LAC 33:V.2205 including, but not limited to, clearly marking each tank or container.
- VII.A.7.c.** The Permittee is required to comply with all applicable requirements of LAC 33:V.2245 as amended. Changes to the Waste Analysis Plan will be considered permit modifications at the request of the Permittee, pursuant to LAC 33:V.321.C.
- VII.A.7.d.** The Permittee shall review the waste analysis plan and analyze the waste when a process changes to determine whether the waste meets applicable treatment standards. Results shall be maintained in the operating record pursuant to Condition III.C.1 and 2.

VII.A.8. Information Submittal for the Corrective Action Strategy

Failure to comply with any condition of the Permit, including information submittals, constitutes a violation of the Permit and is grounds for enforcement action, permit amendment, termination, revocation, suspension, or denial of permit renewal application. Falsification of any submitted information is grounds for termination of this Permit (LAC 33:V.323.B.3).

The Permittee shall ensure that all plans, reports, notifications, and other submissions to the Administrative Authority required by this Permit using the Corrective Action Strategy are signed and certified in accordance with LAC 33:V.Chapter 5, Subchapter B. All submittals required under the corrective action strategy must conform to those requirements outlined in the RECAP (see Condition VIII of this permit). Variance from content and/or formatting guidelines provided under the RECAP shall be requested by the Permittee prior to submittal to the Administrative Authority, as deemed necessary. Approval or disapproval of such a request with further guidance on content and formatting will be provided by the Administrative Authority, as deemed necessary. Five (5) copies each of these plans, reports, notifications or other submissions and one (1) electronic copy (3.5" IBM compatible disk or

CD-ROM) of all portions thereof which are in word processing format shall be submitted to the Administrative Authority by Certified Mail or hand delivered to:

Louisiana Department of Environmental Quality
Office of Environmental Assessment
Remediation Services Division
P.O. Box 4314
Baton Rouge, LA 70821-4314

A summary of the planned reporting milestones pursuant to the corrective action requirements of this Permit is found in Condition VIII, Table 1.

VII.A.9. Data Retention

All raw data, such as laboratory reports, drilling logs, bench-scale or pilot-scale data, and other supporting information gathered or generated during activities undertaken pursuant to this Permit shall be maintained at the facility during the term of this Permit, including any reissued Permits.

VII.A.10. Management of Wastes

All solid wastes which are managed pursuant to a remedial measure taken under the corrective action process or as an interim measure addressing a release or the threat of a release from a solid waste management unit shall be managed in a manner protective of human health and the environment and in compliance with all applicable Federal, State and local requirements. As a response to the Louisiana legislature mandate La. R.S. 30:2272 (Act 1092 of the 1995 Regular Session) to develop minimum remediation standards, the LDEQ promulgated the Risk Evaluation Corrective Action Program (RECAP). RECAP's tiered approach to risk evaluation and corrective action establishes not only across the board numerical standards for most media, but also allows for the development of more site-specific numerical standards, as warranted. The Permittee is required to comply with all applicable requirements of RECAP. Approval of units for managing wastes and conditions for operating the units shall be granted through the permitting process.

VII.B. AIR EMISSION STANDARDS - EQUIPMENT LEAKS, TANKS, AND CONTAINERS

VII.B.1. PERFORMANCE STANDARDS FOR EQUIPMENT LEAKS

VII.B.1.a. Operating Requirements

The Permittee shall comply with the applicable requirements under LAC 33:V. Chapter 17 Subchapter B – Equipment Leaks – for all equipment

associated with operations that treat, store, or dispose of hazardous waste with organic concentrations equal to or greater than 10 percent by weight.

VII.B.1.b. Monitoring Requirements

The Permittee shall monitor the following equipment for proper operation: pumps in light service, LAC 33:V.1719.A; compressors, LAC 33:V.1721; pressure relief devices in gas/vapor service, LAC 33:V.1723; open-ended valves or lines, LAC 33:1727; valves in gas/vapor service or in light liquid service, LAC 33:V.1737; and pumps and valves in heavy liquid service, pressure relief devices in light liquid or heavy liquid service, and flanges and other connectors, LAC 33:V.1731.

VII.B.1.c. Recordkeeping Requirements

The Permittee shall maintain an up-to-date list identifying each piece of equipment to which LAC 33:V.Chapter 17.Subchapter B applies, and record all information required by LAC 33:V.1743.

VII.B.1.d. Reporting Requirements

A semiannual report shall be submitted to the Administrative Authority in accordance with the requirements of LAC 33:V.1745, based on the date of submittal of the annual report for the facility. A report is not required for a 6-month period during which all pumps in light service, compressors, pressure relief devices in gas/vapor service, open-ended valves or lines, valves in gas/vapor service or in light liquid service, pumps and valves in heavy liquid service, pressure relief devices in light liquid or heavy liquid service, and flanges and other connectors are operated such that during no period of twenty four (24) hours or longer did the devices operate continuously in noncompliance with the applicable operating conditions defined in LAC 33:V.Chapter 17.Subchapter B.

VII.B.2. STANDARDS FOR TANKS, SURFACE IMPOUNDMENTS, AND CONTAINERS

VII.B.2.a. The Permittee shall comply with air emission control requirements under LAC 33:V.Chapter 17.Subchapter C for the Tank 7002 (South Mix Pit) system. These air emission controls shall consist of:

VII.B.2.a.i. a permanent total enclosure;

VII.B.2.a.ii. a closed-vent system;

VII.B.2.a.iii. a Thermal Oxidizer (TO).

VII.B.2.b. The Permittee shall be exempt from air emission control standards under LAC 33:V.Chapter 17.Subchapter C for the Tank 6039 (Leachate Tank) system, provided that an annual determination of volatile organic (VO) content is done under LAC 33:V.1751.C.1. If the annual determination of VO content finds that the VO content is 500 ppmw or greater, the permittee shall comply with the Subchapter C air emission control standards.

VII.B.2.c. Operating Requirements

VII.B.2.c.i. The Permittee shall comply with the applicable requirements of LAC 33:V. Chapter 17, Subchapter C.

VII.B.2.c.ii. The Permittee shall install and maintain all regulated units and associated emission control technology in accordance with the detailed plans, schedules, information, and reports as contained in the Part B Permit Application.

VII.B.2.c.iii. The Permittee shall, upon request, identify all less than 90-day accumulation tanks or containers, which contain or contact hazardous wastes with organic concentrations equal to or greater than 10 percent by weight and identify the emission control system requirements under LAC 33:V.1703 to 1715.

VII.B.2.d. Inspection Requirements

VII.B.2.d.i. The closed-vent system and control device (thermal oxidizer) for the Tank 7002 enclosure (S&E Building) shall be inspected as specified in LAC 33:V.1709.F.2 and LAC 33:V.1709.L.

VII.B.2.d.ii. The control device (thermal oxidizer) shall be inspected daily when in use.

VII.B.2.e. Monitoring Requirements

VII.B.2.e.i. The closed-vent system and control device (thermal oxidizer) for the Tank 7002 enclosure (S&E Building) shall be monitored as specified in LAC 33:V.1709.F.2 and LAC 33:V.1709.L. Continuous monitoring and recording of temperature in the thermal oxidizer shall be performed whenever the equipment is in use.

VII.B.2.e.ii. The pollution control methods used for containers shall be inspected on a periodic basis in accordance with LAC 33:V.1759.C.4, 1759.D.4, and LAC 33:V.1761, as applicable.

VII.B.2.e.iii. Level 1 controls shall be inspected in accordance with LAC

33:V.1759.C.4.

VII.B.2.e.iv. Level 2 controls shall be inspected in accordance with LAC 33:V.1759.D.4.

VII.B.2.e.v. Level 3 controls shall be inspected in accordance with LAC 33:V.1759.E.4.

VII.B.2.f. Recordkeeping Requirements

Air emission control design documentation shall be maintained in the facility operating record until the equipment is no longer in service. Records must be prepared and maintained for the various equipment and systems used at the facility.

VII.B.2.f.i. Tanks using air emission control records must meet LAC 33:V.1765.B requirements.

VII.B.2.f.ii. Container storage areas using Level 3 controls must meet LAC 33:V.1765.D requirements.

VII.B.2.f.iii. Closed-vent system and control device systems meeting LAC 33:V.1761 must meet LAC 33:V.1765.E requirements.

VII.B.2.f.iv. Facilities exempted by LAC 33:V.1751.C must meet LAC 33:V.1765.F requirements.

VII.B.2.f.v. Components identified as “unsafe to inspect and monitor” in accordance with LAC 33:V.1755.L and 1757.G must meet LAC 33:V.1765.G requirements.

VII.B.2.f.vi. Facilities that are governed by this Chapter and use alternate control systems meeting the emission control standards of 40 CFR 60, Subpart VV or 40 CFR 61, Subpart V must meet LAC 33:V.1765.H requirements.

VII.B.2.f.vii. All tanks or containers not using air emission controls in accordance with LAC 33:V.1747.D must meet LAC 33:V.1765.I requirements.

VII.B.2.g. Reporting Requirements

VII.B.2.g.i. For each tank, surface impoundment, or container which manages hazardous waste that is exempted from using air emission controls, a written report shall be submitted to the Administrative Authority within fifteen (15) days of each occurrence when hazardous waste

is placed in the waste management unit in noncompliance with the conditions of LAC 33:V.1751.C, as applicable. The written report shall contain the EPA identification number, facility name and address, a description of the noncompliance event and the cause, the dates of the noncompliance, and the actions taken to correct the noncompliance and prevent reoccurrence of the noncompliance.

VII.B.2.g.ii. For control devices used in accordance with the requirements of LAC 33:V.1735, a semiannual written report shall be submitted to the Administrative Authority, based on the date of submittal of the annual report, except as provided for in noncompliance situations. The report shall describe each occurrence during the previous six (6)-month period when a control device is operated continuously for twenty-four (24) hours or longer in noncompliance with the applicable operating values defined in LAC 33:V.1713.C.4 or when a flare is operated with visible emissions as defined in LAC 33:V.1707.D. The written report shall include the EPA identification number, facility name and address, an explanation why the control device could not be returned to compliance within 24 hours, and actions taken to correct the noncompliance.

VII.B.2.g.iii. The report to the Administrative Authority in accordance with the requirements of VII.B.2.g.ii. above is not required for a six (6)-month period during which all control devices subject to LAC 33:V, Subchapter C are operated such that during no period of twenty-four (24) hour or longer did control devices operate continuously in noncompliance with the applicable operating values defined in LAC 33:V.1713.C.4 or a flare operate with visible emissions as defined in LAC 33:V.1707.D.

VII.B.2.g.iv. All reports shall be signed and dated by an authorized representative of the Permittee as per LAC 33:V.507.

VII.B.2.h. Testing Requirements

VII.B.2.h.i. A Procedure T test under LAC 33:V.1755.I must be performed on the Thermal Oxidizer unit for the Tank 7002 enclosure (S&E Building), prior to the Tank 7002 system being put back in service. Results of the test shall be submitted to the Administrative Authority, and an Order to Proceed shall be issued.

A Procedure T test must be conducted on the Tank 7002 enclosure (S&E Building) annually thereafter.

VII.C. SPECIFIC CONDITIONS - CLOSURE

Pursuant to Section 3005(j)(1) of the Hazardous and Solid Waste Amendments of 1984, the Permittee shall close any closing units in accordance with the following provisions:

- VII.C.1.** Other than consolidation of any wastes from the sites in conformance with LAC 33:V.Chapter 22, Land Disposal Restrictions, the Permittee shall not place waste prohibited by LAC 33:V.Chapter 22 into any closing units;
- VII.C.2.** The Permittee shall perform unit closures in accordance with the Closure Plan(s) as approved at the time of closure, and which meet(s) all relevant State and Federal closure requirements at the time of closure; and
- VII.C.3.** The Permittee shall notify the Administrative Authority in writing at least sixty (60) days prior to commencement of closure.

III. SPECIAL CONDITIONS PURSUANT TO HAZARDOUS AND SOLID WASTE AMENDMENTS—CORRECTIVE ACTION STRATEGY

Corrective Action for Releases: Section 3004(u) of RCRA, as amended by the Hazardous and Solid Waste Amendments (HSWA), and LAC 33:V.3322 require that permits issued after November 8, 1984, address corrective action for releases of hazardous waste or hazardous constituents from any solid waste management unit at the facility, regardless of when the waste was placed in the unit.

EPA's traditional RCRA corrective action approach is structured around several elements common to most activities. In the first phase, RCRA facility assessment (RFA), EPA or the authorized state assesses the facility to identify releases and determine the need for corrective action. In the second phase, RCRA facility investigation (RFI), the facility conducts a more detailed investigation to determine the nature and extent of contaminants released to ground water, surface water, air, and soil. If remedial action is needed, a third phase, corrective measures study (CMS), is started. During this phase, the facility conducts a study, which when completed, describes the advantages, disadvantages, and costs of various cleanup options. After selection of a final remedy, the fourth phase, corrective measures implementation (CMI), is initiated. The facility is required to design, construct, operate, maintain, and monitor the final remedy(s).

The Corrective Action Strategy (CAS) is an alternate corrective action approach that can be implemented during any phase of corrective action for a release area. The Permittee shall use the CAS approach as the framework for corrective action to clarify, facilitate and expedite the process, and shall use the **Louisiana Department of Environmental Quality Risk Evaluation/Corrective Action Program (RECAP)** for screening and media-specific cleanup standards. EPA has interpreted the term "release" to mean, "any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment." (50 FR 2873, July 15, 1985). The CAS refers to "release areas" as solid waste management units (SWMUs) and areas of concern (AOCs) while the RECAP refers to release areas as areas of investigation (AOIs). SWMUs and AOCs may also be referred to as "AOIs" when investigated and managed under the RECAP.

VIII.A. ALTERNATE CORRECTIVE ACTION

VIII.A.1. This Permit will utilize the CAS Guidance Document (www.epa.gov/Arkansas/6pd/rcra_c/pd-o/riskman.htm) developed by the U.S. Environmental Protection Agency (EPA) Region 6 whenever the Administrative Authority determines that it will serve to facilitate the corrective action. The CAS Guidance Document shall be utilized to the fullest extent practicable for planning and implementation of the corrective action. The CAS in this Permit shall not supersede existing Federal, State, and local regulations. The two primary objectives are to prioritize corrective action at the facility, and streamline corrective action administrative procedures, resulting in the protection of human health and the environment.

The CAS is a performance-based approach; using data quality objectives, investigations begin with the endpoint in mind. The CAS is a risk management strategy that can be implemented during any phase of corrective action. However, the CAS need not be applied to work that has already been completed to the satisfaction of the Administrative Authority. Performance standards are established at the beginning of the corrective action process, allowing earlier and more focused implementation. Releases are screened using RECAP screening numbers to determine the priority of corrective action, and remedial alternatives are selected on the basis of their ability to achieve and maintain the established performance standards.

There is no one specific path through the CAS process. The CAS is a facility-wide approach, focusing corrective action on releases that pose the greatest risk first. Screening releases will also enable some areas of interest to qualify for no further action at this time (Condition VIII.A.3.a.), thus resources can be used to best benefit the protection of human health and the environment.

The traditional RCRA corrective action process and reports (i.e., RFI, CMSs, CMI, etc.) are not elements of the CAS. However, the use of information and reports from the traditional corrective action process, if available, is encouraged, in addition to new site-specific information.

The Administrative Authority, through an agency-initiated permit modification, may remove the CAS as the means of facility-wide corrective action in the case of the failure of the Permittee to disclose information, abide by the terms and conditions of this permit, adhere to agreed schedules, or show adequate progress; or should an impasse occur between the Permittee and the Administrative Authority. The Administrative Authority will institute other means of corrective action (such as traditional corrective action) at the facility through modification of this permit.

VIII.A. 2. Performance Standards

Expectations for the outcome of corrective action at a facility are established in the CAS by three performance standards as defined in Conditions VIII.A.2.a through c. The Permittee's proposed performance standards shall be presented during the scoping meeting. The Permittee must justify the proposed performance standards through evaluation and documentation of land use, ground water designation (current and reasonably expected future use), types of receptors present, exposure pathways, etc.; as described in RECAP, Chapter 2. Through the application of the performance standards and RECAP, the Permittee and Administrative Authority shall determine whether a release must be addressed through corrective action, and whether implemented corrective actions are protective of human health and the environment.

The Permittee shall submit the performance standards in writing along with the Conceptual Site Model (Condition VIII.D) within one-hundred and twenty (120) days after the scoping meeting. The Administrative Authority may either approve the performance standards proposed by the Permittee or establish performance standards that the Administrative Authority deems necessary to protect human health and the environment.

The three CAS performance standards are defined below. The order in which the performance standards are listed does not indicate that one performance standard takes priority over another. All applicable performance standards must be achieved by the Permittee.

VIII.A.2.a. Source Control Performance Standard

Source control refers to the control of materials that include or contain hazardous wastes or hazardous constituents that act as a reservoir for migration of contamination to soil, sediment, ground water, surface water, or air, or as a source for direct exposure.

The facility must determine if source material is present. Removal, containment, treatment, or a combination of the three, must be evaluated on a case-by-case basis. Controlling source material is a predominating issue in the CAS, and must be addressed to ensure protectiveness over time. Prioritization of the SWMUs and AOCs does not mean avoidance of controlling source materials.

VIII.A.2.b. Statutory and Regulatory Performance Standard

Applicable statutory and regulatory requirements (Federal, State, and local) must be identified. These requirements may dictate media-specific contaminant levels (e.g., maximum contaminant levels (MCLs) in drinking water) that must be achieved and may become a performance standard for the Permittee.

VIII.A.2.c. Final Risk Goal Performance Standard

The final risk goal is the level of protection to be achieved and maintained by the Permittee. The final risk goal shall be based on site-specific issues including land use, special subpopulations, contaminant concentrations based on acceptable risk, location at which the levels are measured, and the remediation time frame, as specified by RECAP.

One final risk goal may apply to the entire facility, but it is more likely that different releases will require different final risk goals due to variations in location of releases, land use, proximity of receptors, etc. The final risk goal will be based on sound risk assessment methodologies (Condition VIII.A.3).

VIII.A.3. Use of RECAP

The latest edition of the RECAP document shall be used by the Permittee to determine the need for further corrective actions under this permit. The RECAP consists of a tiered framework comprised of a Screening Option (SO), and three Management Options (MO). The tiered management options allow site evaluation and corrective action efforts to be tailored to site conditions and risks. As the MO level increases, the approach becomes more site-specific and hence, the level of effort required to meet the objectives of the Option increases.

The RECAP shall be used by the Permittee to evaluate data quality and data usability (RECAP Section 2.4 and 2.5), to determine the identity of an AOI as described in RECAP Section 2.6, and for estimations of Area of Investigation Concentrations and Groundwater Compliance Concentrations for each media as defined in RECAP Section 2.8.

The RECAP shall be used by the Permittee to evaluate land use as described in RECAP Section 2.9, and groundwater/aquifer use as described in RECAP Section 2.10.

The RECAP shall be used by the Permittee to prioritize AOCs, SWMUs, and AOIs that require remediation so site investigations are focused on the release areas that pose the greatest risk. As the CSM is compiled, the Permittee shall assess historical data (RECAP Section 2.5) and use the following management options, as appropriate, to address each release site.

VIII.A.3.a. Use of the Screening Option - The Permittee shall use the Screening Standards (SS) which are LDEQ-derived screening numbers for soil and groundwater for non-industrial and industrial land use scenarios. The SS shall be used to demonstrate that an AOI does not pose a threat to human health and the environment and, hence does not require further action at this time (NFA-ATT) or that further evaluation is warranted under a higher Management Option.

VIII.A.3.b. Use of Management Option 1 – The Permittee shall use Management Option 1 (MO-1) which provides a RECAP standard (RS) derived for non-industrial and industrial exposure scenarios using currently recommended default exposure parameters and toxicity values. Under MO-1, an AOI may warrant a NFA-ATT determination, or if an exposure, source, or compliance concentration detected at the AOI exceeds a MO-1 limiting RS, then the Permittee may; (1) remediate to the MO-1 limiting RS (and comply with closure/post closure requirements for MO-1), or (2) proceed with a MO-2 or MO-3 evaluation.

VIII.A.3.c. Use of Management Option 2 – The Permittee shall use Management Option 2 (MO-2) which provides for the development of soil and groundwater RS using site-specific data with specified analytical models to evaluate constituent fate and transport at the AOI. The results of this evaluation shall be used in conjunction with standard reasonable maximum exposure (RME) assumptions to identify site-specific MO-2 RS. Under MO-2, an AOI may warrant a NFA-ATT determination, or if an exposure, source, or compliance concentration detected at the AOI exceeds a MO-2 limiting RS, then the Permittee may; (1) remediate to the MO-2 limiting RS (and comply with closure/post closure requirements for MO-2), or (2) proceed with a MO-3 evaluation.

VIII.A.3.d. Use of Management Option 3 – The Permittee shall use Management Option 3 (MO-3) which provides the option of using site-specific data for the evaluation of exposure and the evaluation of environmental fate and transport at the AOI. The results of the site-specific evaluation may be to develop site-specific MO-3 RS. Under MO-3, an AOI may warrant a NFA-ATT determination, or if an exposure, source, or compliance concentration detected at the AOI exceeds a MO-3 limiting RS, then the Permittee shall; (1) remediate to the MO-3 RS, (2) conduct confirmatory sampling, and (3) comply with closure/post closure requirements for MO-3.

VIII.A.4. Corrective Action for Releases Beyond Facility Boundary: Section 3004(v) of RCRA as amended by HSWA, and State regulations promulgated as LAC 33:V.3322.C require corrective actions beyond the facility property boundary, where necessary to protect human health and the environment, unless the Permittee demonstrates that, despite the Permittee's best efforts, the Permittee was unable to obtain the necessary permission to undertake such actions. The Permittee is not relieved of all responsibility to clean up a release that has migrated beyond the facility boundary where offsite access is denied.

VIII.A.5. Financial Responsibility: Assurances of financial responsibility for corrective action shall be provided by the Permittee as specified in the Permit following major modification for remedy selection. The Administrative Authority reserves the right to require financial assurance prior to remedy selection based upon facility compliance history, the extent and degree of contamination, financial health of the Permittee, and input from the public.

VIII.A.6. Summary of Corrective Action Activities: A summary of the corrective action activities associated with the facility is provided in Condition VIII, Appendix 1 of

this permit. AOCs and SWMUs that are currently being managed or proposed for management under a prescribed corrective action program (e.g., groundwater order, corrective action order, CERCLA) are identified in Condition VIII, Appendix 1, Table 1 of this permit.

- VIII.A.7. Approval of Alternate Schedule:** The Permittee may submit a written request for an alternate schedule for a submittal deadline as presented in Condition VIII, Table 1. The request should propose a specific alternate schedule and include an explanation as to why the alternate schedule is necessary. The Administrative Authority will consider site-specific criteria in either approving or disapproving the request for an alternate schedule.

VIII.B. PROJECT DEVELOPMENT AND SCOPING MEETING

VIII.B.1. Notice of Intent

The Permittee must submit to the Administrative Authority a Notice of Intent to conduct corrective action using the CAS within sixty (60) days of the notification as per Condition VIII.L and VIII.M. The notice of intent should state the following in a concise manner:

- VIII.B.1.a.** General information regarding facility location;
- VIII.B.1.b.** General information regarding the facility's operational history;
- VIII.B.1.c.** General discussion on how the Permittee will proceed through the CAS;
- VIII.B.1.d.** Brief description of proposed performance standards for corrective action; and
- VIII.B.1.e.** Propose a date for a scoping meeting between the Permittee and the Administrative Authority to be held within sixty (60) days of the date of the Notice of Intent.

VIII.B.2. Scoping Meeting

The scoping meeting will serve as the first CAS milestone where the Permittee and the Administrative Authority identify expectations concerning CAS implementation. The length and extent of the meeting will depend on the complexity of the site. Agreements on land use, groundwater classification, the level of detail required in the conceptual site model (see Condition VIII.D) and expectations for remediation goals will be discussed during the scoping meeting(s). During the scoping meeting the Permittee will present the following information to the Administrative Authority:

- VIII.B.2.a.** A conceptual site model (if one already has been developed);
- VIII.B.2.b.** Discussions on history of corrective action at the facility, including facility investigations, risk evaluations or risk assessments, interim measure/stabilizations and final remedies implemented;
- VIII.B.2.c.** Proposed performance standards for the facility with justification, and potential risk management approaches;
- VIII.B.2.d.** Discussions on how the Permittee plans to use the CAS to meet its corrective action obligations, including permitting and compliance issues;
- VIII.B.2.e.** A Communication Strategy Plan that specifies where in the CAS process the Permittee is currently and how the Permittee will provide information about future progress at the facility to the Administrative Authority (i.e., progress reports, conference calls, routine meetings, etc.);
- VIII.B.2.f.** Site-specific concerns (i.e., sensitive environments or special subpopulations);
- VIII.B.2.g.** Need for interim measures or stabilization activities, if necessary; and
- VIII.B.2.h.** Schedule for submittal of the CAS Investigation Workplan and proposed schedule for conducting and completing CAS requirements, including public participation.

Information plans and reports that have already been developed by the Permittee during the corrective action process can be referenced during the scoping meeting. The Permittee must coordinate with the Administrative Authority in order to determine the date, time, and location of the scoping meeting.

VIII.C. REPORTING REQUIREMENTS

VIII.C.1. The Permittee shall submit, in accordance with Condition VII.A.8, signed reports of all activities conducted pursuant to the provisions of this Permit as required by the Administrative Authority. The reporting schedule shall be determined on a case-by-case basis by the Administrative Authority. These reports shall contain, as applicable to the stage of corrective action, the information required by CAS, as well as the following:

- VIII.C.1.a.** A description of the work completed and an estimate of the

percentage of work completed;

VIII.C.1.b. Summaries of all findings, including summaries of laboratory data;

VIII.C.1.c. Summaries of all problems or potential problems encountered during the reporting period and actions taken to rectify problems;

VIII.C.1.d. Projected work for the next reporting period;

VIII.C.1.e. Summaries of contacts pertaining to corrective action or environmental matters with representatives of the local community, public interest groups or State government during the reporting period;

VIII.C.1.f. Changes in key project personnel during the reporting period; and

VIII.C.1.g. Summaries of all changes made in implementation during the reporting period.

VIII.C.2. Copies of other reports relating to or having bearing upon the corrective action work (e.g., inspection reports, drilling logs and laboratory data) shall be made available to the Administrative Authority upon request.

VIII.C.3. In addition to the written reports as required in Condition VIII.C.1 and VIII.C.2 above, at the request of the Administrative Authority, the Permittee shall provide status review through briefings with the Administrative Authority.

VIII.C.4. The determination and approval of remedy selections, schedules of submittals and minor changes to any corrective action workplans may be made by the Administrative Authority during the scoping meeting or status review briefings as described in Condition VIII.C.3.

VIII.D. SPECIFIC CONDITION – CONCEPTUAL SITE MODEL (CSM)

No later than 120 days after the scoping meeting, the Permittee shall submit to the Administrative Authority a CSM (along with the Performance Standards detailed in Condition VIII.A.2) or an update of any CSM submitted at the scoping meeting providing background information and the current conditions at the facility. The level of detail required for the CSM will be discussed during the scoping meeting. At a minimum, the CSM must address current site conditions, land use, known and/or potential constituent source(s), routes of constituent migration, exposure media (i.e., soil, surface waters, groundwater), exposure points, points of compliance and pathways, receptors and source media to be evaluated under the RECAP. The CSM must include a completed Figure 8

(LAC 33:I.Chapter 13). The Permittee may include completed investigations, existing data, or previously submitted documents in the CSM by reference. References must include the names, dates, and brief summaries of the documents.

If a CSM has been previously developed, the scoping meeting will also provide the opportunity for the Permittee and Administrative Authority to consider and identify all data gaps in the CSM. The initial CSM shall be considered the “base document” to be prepared and updated by the facility as new information is gathered during investigations. The CSM shall be used by the facility to make decisions regarding risk management options, ecological risk, and monitored natural attenuation determinations (RECAP Section 2.16), or technical impracticability (TI) waiver determinations, when appropriate.

The Administrative Authority reserves the right to require revisions to the CSM based upon data resulting from ongoing investigations and activities. Revisions to the CSM may also be required for newly identified SWMUs or AOCs according to Condition VIII.L of this permit (See Appendix 1, Ongoing Corrective Action) and based on new information and information not previously considered by the Administrative Authority.

The CSM shall be divided into Profiles as detailed in Conditions VIII.D.1 through 6. If the Permittee chooses to use existing data and documents in the CSM, it may not be necessary to prepare the Profiles as detailed in Conditions VIII.D.1 through 6. However, the existing documents and data must provide sufficient information and detail which corresponds to the information required by the Facility, Land Use and Exposure, Physical, Release, Ecological, and Risk Management Profiles.

VIII.D.1. Facility Profile

The Permittee shall include in the CSM a Facility Profile which shall summarize the regional location, pertinent boundary features, general facility structures, process areas, and locations of solid waste management units or other potential sources of contaminant migration from the routine and systematic releases of hazardous constituents to the environment (e.g., truck or railcar loading/unloading areas). The Permittee shall also include historical features that may be potential release areas because of past management practices. The Facility Profile shall include:

VIII.D.1.a. Map(s) and other documents depicting the following information (all maps shall be consistent with the requirements set forth in LAC 33:V Chapter 5 and be of sufficient detail and accuracy to locate and report all current site conditions):

VIII.D.1.a.(1). General geographic location;

VIII.D.1.a.(2). Property lines with the owners of all adjacent property clearly indicated;

VIII.D.1.a.(3). Facility structures, process areas and maintenance areas;

VIII.D.1.a.(4). Any other potential release areas shall be delineated, such as railcar loading/unloading areas or any other AOI as described in RECAP Section 2.6; and

VIII.D.1.a.(5). Locations of historical features that may be potential release areas or any areas of past solid and hazardous waste generation, treatment, storage or disposal activities.

VIII.D.1.b. The Facility Profile shall also include a description of ownership and operation of the facility.

VIII.D.1.c. The Permittee shall provide pertinent information for those spills that have not been assessed and reported to the Administrative Authority during facility investigations, addressed by facility spill contingency plans, or previously remediated or deemed for no further action. The information must include at minimum, approximate dates or periods of past waste spills, identification of the materials spilled, the amount spilled, the location where spilled, and a description of the response actions conducted (local, state, federal, or private party response units), including any inspection reports or technical reports generated as a result of the response.

VIII.D.2. Land Use and Exposure Profile

The Permittee shall include in the CSM a Land Use and Exposure Profile which includes surrounding land uses (industrial and non-industrial, as described in RECAP Sections 2.9.1 and 2.9.2), resource use locations (water supply wells, surface water intakes, etc.), beneficial resource determinations (groundwater classifications as described in RECAP Section 2.10), natural resources (wetlands, etc.), sensitive subpopulation types and locations (schools, hospitals, nursing homes, day care centers, etc.), applicable exposure scenarios, and applicable exposure pathways identifying the specific sources, releases, migration mechanisms, exposure media, exposure routes and receptors. The Land Use and Exposure Profile shall include:

VIII.D.2.a. Map(s) and other documents depicting the following information (all maps shall be consistent with the requirements set forth in LAC 33:V Chapter 5 and be of

sufficient detail and accuracy to locate and report all current site conditions):

VIII.D.2.a.(1). Surrounding land uses, resource use locations, and natural resources/wetlands;

VIII.D.2.a.(2). Locations of sensitive subpopulations; and

VIII.D.2.a.(3). An exposure pathway flowchart which outlines sources, migration pathways, exposure media and potential receptors as depicted in Figure 8 (CMS example) of the RECAP.

VIII.D.3. Physical Profile

The Permittee shall include in the CSM a Physical Profile which shall describe the factors that may affect releases, fate and transport, and receptors, including; topography, surface water features, geology, and hydrogeology. The Physical Profile shall include:

VIII.D.3.a. Map(s) and other documents depicting the following information (all maps shall be consistent with the requirements set forth in LAC 33:V.Chapter 5 and be of sufficient detail and accuracy to locate and report all current site conditions):

VIII.D.3.a.(1). Topographic maps with a contour interval of five (5) or ten (10) feet, a scale of one inch to 100 feet (1:100), including hills, gradients, and surface vegetation or pavement;

VIII.D.3.a.(2). Surface water features including routes of all drainage ditches, waterways, direction of flow, and how they migrate to other surface water bodies such as canals and lakes;

VIII.D.3.a.(3). Regional geology including faulting and recharge areas, as well as local geology depicting surface features such as soil types, outcrops, faulting, and other surface features;

- VIII.D.3.a.(4). Subsurface geology including stratigraphy, continuity (locations of facies changes, if known), faulting and other characteristics;
- VIII.D.3.a.(5). Maps with hydrogeologic information identifying water-bearing zones, hydrologic parameters such as transmissivity, and conductivity. Also locations and thicknesses of aquitards or impermeable strata; and
- VIII.D.3.a.(6). Locations of soil borings and production and groundwater monitoring wells, including well log information, and construction of cross-sections which correlate substrata. Wells shall be clearly labeled with ground and top of casing elevations (can be applied as an attachment).

VIII.D.4. Release Profile

The Permittee shall include in the CSM a Release Profile which shall describe the known extent of contaminants in the environment, including sources, contaminants of concern (COC), areas of investigations, distribution and magnitude of known COCs with corresponding sampling locations, and results of fate and transport modeling depicting potential future extent/magnitude of COCs. The Release Profile shall include:

- VIII.D.4.a. Map(s) and other documents depicting the following information (all maps shall be consistent with the requirements set forth in LAC 33:V. Chapter 5 and be of sufficient detail and accuracy to locate and report all current site conditions):
 - VIII.D.4.a.(1). Estimations of source concentrations, exposure concentrations and compliance concentrations for each affected media as defined in Section 2.8 of RECAP;
 - VIII.D.4.a.(2). Isopleth maps depicting lateral extent and concentrations of COCs;
 - VIII.D.4.a.(3). Results of fate and transport modeling showing potential exposure concentrations and locations; and

VIII.D.4.a.(4). Locations of potential sources including past or present waste units or disposal areas and all SWMUs/AOCs.

VIII.D.4.b. Table(s) depicting the following information for each SWMU/AOC, including but not limited to: location; type of unit/disposal/release area; design features; operating practices (past and present); period of operation; age of unit/disposal/release area; general physical condition; and method of closure.

VIII.D.4.c. Table(s) depicting the following waste/contaminant characteristics for those areas referenced in Condition VIII.D.4.b, including but not limited to: type of waste placed in the unit (hazardous classification, quantity, chemical composition), physical and chemical characteristics (physical form, description, temperature, pH, general chemical class, molecular weight, density, boiling point, viscosity, solubility in water, solubility in solvents, cohesiveness, vapor pressure); and migration and dispersal characteristics of the waste (sorption coefficients, biodegradability, photodegradation rates, hydrolysis rates, chemical transformations).

VIII.D.5. Ecological Profile

The Permittee shall include in the CSM an Ecological Profile that shall describe the physical relationship between the developed and undeveloped portions of the facility, the use and level of disturbance of the undeveloped property, and the type of ecological receptors present in relation to completed exposure pathways. When compiling data for the Ecological Profile, current, as well as, future impacts to receptors and/or their habitats shall be considered. The Ecological Profile shall include:

VIII.D.5.a. A history and description of the developed property on the facility, including structures, process areas, waste management units, and property boundaries;

VIII.D.5.b. A history and description of the undeveloped property, including habitat type (wetland, grassy area, forest, ponds, etc.). Include a description of the primary use, degree and nature of any disturbance, along with proximity to drainage ditches, waterways and landfill areas;

- VIII.D.5.c.** A description of the site receptors in relation to habitat type, including endangered or protected species, mammals, birds, fish, etc.;
- VIII.D.5.d.** A description of the relationship between release areas and habitat areas, specifically relating chemicals of potential ecological concern (COEC) to ecological receptors;
- VIII.D.5.e.** An ecological checklist as described in Section 7.0 of RECAP. An ecological checklist (presented in Appendix C, Form 18 of the RECAP) shall be used to determine if a tier 1 (screening level) Ecological Risk Assessment (ERA) is warranted.

VIII.D.6. Risk Management Profile

The Permittee shall include in the CSM a Risk Management Profile that shall describe how each AOI at the facility will be managed for the protection of human health and the environment. The Risk Management Profile will serve as documentation of the results of the site ranking system (described in Section 2.2 of RECAP). The Risk Management Profile will also document the criteria and verify that the SO, MO-1, MO-2 or MO-3 is appropriate for application at each AOI. The Risk Management Profile shall include:

- VIII.D.6.a.** A table for tracking the management options for each AOI, and the determination made, whether an AOI is deemed for no further action at this time (NFA-ATT) or is going to use either the SO, MO-1, MO-2 or MO-3 management option.
- VIII.D.6.b.** A list of identified site-wide data gaps for further investigation.
- VIII.D.6.c.** Documentation of all interim measures which have been or are being undertaken at the facility, including under State or Federal compliance orders, other than those specified in the Permit. This documentation shall include the objectives of the interim measures and how the measure is mitigating a potential threat to human health or the environment and/or is consistent with and integrated into requirements for a long term remedial solution.

VIII.E. INTERIM MEASURES

- VIII.E.1.** If at any time during the term of this Permit, the Administrative Authority determines that a release or potential release of hazardous constituents from a

SWMU/AOC poses a threat to human health and the environment, the Administrative Authority may require interim measures. The Administrative Authority shall determine the specific measure(s) or require the Permittee to propose a measure(s). The interim measure(s) may include a permit modification, a schedule for implementation, and an Interim Measures Workplan. The Administrative Authority may modify this Permit according to LAC 33:V.321 to incorporate interim measures into the Permit. However, depending upon the nature of the interim measures, a permit modification may not be required.

VIII.E.2. The Permittee may propose interim measures at any time by submittal of an Interim Measures Workplan subject to the approval of the Administrative Authority.

VIII.E.3. The Administrative Authority shall notify the Permittee in writing of the requirement to perform interim measures and may require the submittal of an Interim Measures Workplan. The following factors will be considered by the Administrative Authority in determining the need for interim measures and the need for permit modification:

- VIII.E.3.a.** Time required to develop and implement a final remedy;
- VIII.E.3.b.** Actual and potential exposure to human and environmental receptors;
- VIII.E.3.c.** Actual and potential contamination of drinking water supplies and sensitive ecosystems;
- VIII.E.3.d.** The potential for further degradation of the medium in the absence of interim measures;
- VIII.E.3.e.** Presence of hazardous wastes in containers that may pose a threat of release;
- VIII.E.3.f.** Presence and concentration of hazardous waste including hazardous constituents in soil that has the potential to migrate to ground water or surface water;
- VIII.E.3.g.** Weather conditions that may affect the current levels of contamination;
- VIII.E.3.h.** Risks of fire, explosion, or accident; and
- VIII.E.3.i.** Other situations that may pose threats to human health and the environment.

VIII.E.5. Upon approval of the Interim Measures Workplan and completion of the interim measure(s) implementation, the Permittee will submit a report to the Administrative Authority describing the completed work.

VIII.E.6. At anytime during or after the interim measure(s), including the issuance of an NFA-ATT, the Administrative Authority may require the Permittee to submit the SWMUs/AOCs for further corrective action.

VIII.F. CAS (CORRECTIVE ACTION STRATEGY) INVESTIGATION WORKPLAN

VIII.F.1. The CAS Investigation Workplan that describes site investigation activities for corrective action shall be submitted to the Administrative Authority within 180 days after the scoping meeting between the Permittee and the Administrative Authority. The CAS Investigation Workplan must address releases of hazardous waste or hazardous constituents to all media, unless otherwise indicated, for those SWMUs/AOCs listed in Appendix 1, Table 1. The focus of the site investigation phase for corrective action is to collect data to fill in data gaps identified in the CSM. The corrective action investigations may be conducted in phases if warranted by site conditions, contingent upon approval by the Administrative Authority.

VIII.F.1.a. The CAS Investigation Workplan shall describe the management options (MO) for each AOI/release area, data quality objectives for achieving each management option, and proposals for release characterizations (sampling and analysis/quality assurance plans) to support the data quality objectives (DQOs). (DQOs are determined based on the end use of the data to be collected, and the DQO development process should be integrated into project planning and refined throughout the CAS implementation. DQOs shall be used to 1) ensure that environmental data are scientifically valid, defensible, and of an appropriate level of quality given the intended use, and 2) expedite site investigations. The CAS Investigation Workplan is required to have DQOs that are developed to support the performance standard for each release.) The CAS Investigation Workplan shall detail all proposed activities and procedures to be conducted at the facility, the schedule for implementing and completing such investigations, the qualifications of personnel performing or directing the investigations, including contractor personnel, and the overall management of the site investigations. The scope of work for the site investigation can be found in RECAP Appendix B.

- VIII.F.1.b.** The CAS Investigation Workplan shall describe sampling, data collection quality assurance, data management procedures (including formats for documenting and tracking data and other results of investigations) and health and safety procedures.
- VIII.F.1.c.** Development of the CAS Investigation Workplan and reporting of data shall be consistent with the latest version of the following EPA and State guidance documents or the equivalent thereof:
- VIII.F.1.c.(1).** Guidance for the Data Quality Assessment, Practical Methods for Data Analysis. QA97 Version EPA QA/G-9. January 1998;
 - VIII.F.1.c.(2).** Guidance for the Data Quality Objectives Process. EPA QA/G-4. September 1994;
 - VIII.F.1.c.(3).** Data Quality Objectives Remedial Response Activities. EPA/540/G87-003. March 1987;
 - VIII.F.1.c.(4).** Guidance on Quality Assurance Project Plans. EPA QA/G-5. February 1998;
 - VIII.F.1.c.(5).** Interim EPA Data Requirements for Quality Assurance Project Plans. EPA Region 6, Office of Quality Assurance. May 1994;
 - VIII.F.1.c.(6).** 29 CFR 1910.120 (b) for the elements to Health and Safety plans;
 - VIII.F.1.c.(7).** RCRA Groundwater Monitoring: Draft Technical Guidance EPA/530-R-93-001 November 1992;
 - VIII.F.1.c.(8).** Test Methods for Evaluating Solid Waste, Physical/Chemical Methods; SW-846, 3rd Edition. November 1992, with revisions;
 - VIII.F.1.c.(9).** The LDEQ Handbook - **Construction of Geotechnical Boreholes and Groundwater Monitoring Systems,** prepared by the LDEQ and the

Louisiana Department of
Transportation and Development. This
document is printed by and available from
the Louisiana Department of
Transportation and Development, Water
Resources Section, P. O. Box 94245,
Baton Rouge, Louisiana 70804-9245; and

VIII.F.1.c.(10). The LAC 33:I.Chapter 13 and Louisiana
Department of Environmental Quality
Risk Evaluation/Corrective Action
Program (RECAP).

VIII.F.2. After the Permittee submits the CAS Investigation Workplan; the
Administrative Authority will approve, disapprove, or otherwise modify
the CAS Investigation Workplan in writing. All approved workplans
become enforceable components of this Permit.

In event of disapproval (in whole or in part) of the workplan, the
Administrative Authority shall specify deficiencies in writing. The
Permittee shall modify the CAS Investigation Workplan to correct these
within the time frame specified in the notification of disapproval by the
Administrative Authority. The modified workplan shall be submitted in
writing to the Administrative Authority for review. Should the Permittee
take exception to all or part of the disapproval, the Permittee shall submit
a written statement of the ground for the exception within fourteen (14)
days of receipt of the disapproval.

VIII.F.3. The Administrative Authority shall review for approval, as part of the
CAS Investigation Workplan or as a new workplan, any plans developed
pursuant to Condition VIII.L addressing further investigations of newly-
identified SWMUs/AOCs, or Condition VIII.M addressing new releases
from previously-identified SWMUs/AOCs.

VIII.G. IMPLEMENTATION OF SITE INVESTIGATION ACTIVITIES UNDER CAS

No later than fourteen (14) days after the Permittee has received written approval from
the Administrative Authority for the CAS Investigation Workplan, the Permittee shall
implement the site investigation activities according to the schedules and in accordance
with the approved CAS Investigation Workplan and the following:

VIII.G.1. The Permittee shall notify the Administrative Authority at least 10
working days prior to any field sampling, field-testing, or field monitoring
activity required by this Permit to give LDEQ personnel the opportunity to
observe investigation procedures and/or split samples.

- VIII.G.2.** Deviations from the approved CAS Investigation Workplan, which are necessary during implementation, must be approved by the Administrative Authority and fully documented and described in the progress reports (Condition VIII.C), RECAP Report (Condition VIII.H) and the final Risk Management Plan (Condition VIII.J).

VIII.H. RECAP REPORT

Within ninety (90) days after completion of the site investigation the Permittee shall submit a RECAP Report to the Administrative Authority for approval. The RECAP Report shall document the results of the site investigation activities, and the evaluation of the impacts from releases. The Administrative Authority will review and evaluate the report and provide the Permittee with written notification of the report's approval or a notice of deficiency. If the Administrative Authority determines the RECAP Report does not fully meet the objectives stated in the CAS Investigation Workplan (Permit Condition VIII.F), the Administrative Authority shall notify the Permittee in writing of the report's deficiencies, and specify a due date for submittal of a revised Final Report to the Administrative Authority.

- VIII.H.1.** The Permittee shall screen site-specific data using the appropriate RECAP standard (RS) for each AOI (depending on the MO), evaluate impacts from releases with exposure scenario evaluations, and update the Risk Management Profile of the CSM.

- VIII.H.2.** The report shall include, but not be limited to, the following:

- VIII.H.2.a.** Documentation of site investigation activities and results;
- VIII.H.2.b.** Evaluation of exposure scenarios to document impacts from releases;
- VIII.H.2.c.** Deviations from the CAS Investigation Workplan;
- VIII.H.2.d.** Results of screening activities using RECAP standards (RS), including SO, MO-1, MO-2, or MO-3 RS for each media;
- VIII.H.2.e.** The revised CSM with updated profiles which incorporate investigation and screening results; and
- VIII.H.2.f.** Proposed revisions to performance standards based on new information (e.g., change in land use, difference in expected receptors and/or exposure, or other differences in site conditions), if warranted.

VIII.I. REMEDIAL ALTERNATIVES STUDY

Upon completion and approval of the RECAP Report, the Permittee shall proceed with the evaluation of remedial alternatives to complete corrective action for each AOI according to the performance standards described in Condition VIII.A.2. The remedial alternatives shall be submitted to the Administrative Authority in the Remedial Alternatives Study (RAS) within ninety (90) days of the Administrative Authority's approval of the RECAP Report. In the Remedial Alternatives Study, the Permittee shall identify and evaluate various potential remedies that would meet the performance-based corrective action objectives and propose one or more specific remedies based on an evaluation of applicable data and available corrective action technologies. The RAS shall be prepared in a manner that addresses the extent and nature of the contamination at the facility.

VIII.I.1. The Permittee shall evaluate remedies for each AOI that shall:

VIII.I.1.a. attain compliance with corrective action objectives for releases of hazardous waste and/or hazardous constituents, as established in the Conceptual Site Model or in later investigations approved by the Administrative Authority;

VIII.I.1.b. control sources of releases;

VIII.I.1.c. meet acceptable waste management requirements;

VIII.I.1.d. protect human health and the environment; and

VIII.I.1.e. meet applicable statutory and regulatory requirements (as noted in Condition VIII.A.2.b).

VIII.I.2. The Permittee shall evaluate the use of presumptive remedies and innovative technologies to achieve the appropriate remedial performance standards for each AOI.

VIII.I.3. The Permittee shall review the current interim measures/ stabilization activities to evaluate if these measures meet all the criteria for final remedy.

VIII.I.4. If under certain site-specific conditions, or when it is not technically or economically feasible to attain the corrective action objectives, the Permittee may propose to use institutional controls to supplement treatment or containment-based remedial actions upon approval of the Administrative Authority (Section 2.15 of RECAP).

VIII.I.5. The RAS shall at a minimum include:

- VIII.I.5.a.** An evaluation of the performance reliability, ease of implementation, and the potential impacts of the potential remedies;
 - VIII.I.5.b.** An assessment of the effectiveness of potential remedies in achieving adequate control of sources and meeting remedial performance standards;
 - VIII.I.5.d.** An assessment of the costs of implementation for potential remedies;
 - VIII.I.5.e.** An assessment of the time required to begin and complete the remedy;
 - VIII.I.5.f.** An explanation of the rationale for the remedy proposed for each AOI or group of AOIs; and
 - VIII.I.5.g.** An assessment of institutional requirements (e.g., state permit requirements that may impact remedy implementation).
- VIII.I.6.** The Administrative Authority will review and evaluate the RAS and provide the Permittee with written notification of the study's approval or a notice of deficiency. If the Administrative Authority determines the RAS does not fully meet the requirements detailed in Conditions VIII.I.1 through VIII.I.5, the Administrative Authority shall notify the Permittee in writing of the RAS's deficiencies, and specify a due date for submittal of a revised RAS to the Administrative Authority. In addition, the Administrative Authority may require the Permittee to evaluate additional remedies or particular elements of one or more proposed remedies.

VIII.J. RISK MANAGEMENT PLAN

Within ninety (90) days of the Administrative Authority's approval of the RAS, the remedy/remedies proposed for selection shall be documented and submitted in the Risk Management Plan. The Permittee shall propose corrective action remedies in accordance with Chapter IV of the RCRA Corrective Action Plan (Final), May 1994, OSWER Directive 9902.3-2A or as directed by the Administrative Authority.

- VIII.J.1.** The Risk Management Plan shall at a minimum include:
- VIII.J.1.a.** A summary of the remedial alternatives for each AOI and the rationale used for remedy selection;
 - VIII.J.1.b.** The final CSM with proposed remedies, including locations of AOIs addressed by a risk management activity, COC

concentrations that represent the long-term fate and transport of residual COCs and the exposure pathways affected by the risk management activity;

VIII.J.1.c. Cost estimates and implementation schedules for proposed final remedies;

VIII.J.1.d. Proposed remedy design and implementation precautions, including special technical problems, additional engineering data required, permits and regulatory requirements, property access, easements and right-of-way requirements, special health and safety requirements, and community relations activities;

VIII.J.1.e. Remedy performance criteria and monitoring:

The Permittee shall identify specific criteria (such as land use changes, fate and transport model verification and constructed remedy performance) that will be evaluated to demonstrate that the risk management activity implemented will remain protective. A schedule for periodic performance review (such as monitoring data summaries, including graphical and statistical analyses) shall be established to demonstrate that the implemented activities are consistently achieving and maintaining desired results. Further, a mechanism shall be established to re-evaluate risk management activities in the event the implemented action does not achieve and maintain the performance standards;

VIII.J.1.f. Contingency plans; and

VIII.J.1.g. Description and schedules for performance reviews.

VIII.J.2. After the Permittee submits the Risk Management Plan, the Administrative Authority will review and evaluate the plan and subsequently either inform the Permittee in writing that the plan is acceptable for public review or issue a notice of deficiency.

VIII.J.3. If the Administrative Authority determines the Risk Management Plan does not fully meet the remedial objectives, the Administrative Authority shall notify the Permittee in writing of the plan's deficiencies and specify a due date for submittal of a revised Final Risk Management Plan. In addition, the Administrative Authority may require the Permittee to evaluate additional remedies or particular elements of one or more proposed remedies.

- VIII.J.4.** After the Administrative Authority has determined the Risk Management Plan is acceptable for public review, the Administrative Authority shall inform the Permittee in writing and instruct the Permittee to submit the plan as a Class 3 permit modification request in accordance with the requirements of LAC 33:V.321.C.3.
- VIII.J.5.** After conclusion of a 60-day comment period, the Administrative Authority will either grant or deny the Class 3 permit modification request. In addition the Administrative Authority must consider and respond to all significant comments received during the 60-day comment period.
- VIII.J.6.** If the Class 3 Modification request is granted, the Administrative Authority shall prepare a draft permit incorporating the proposed changes in accordance with LAC 33:V.703.C and solicit public comment on the draft permit modification according to Condition VIII.N.3 of this permit.
- VIII.J.7.** If, after considering all public comments, the Administrative Authority determines that the Risk Management Plan is adequate and complete, the Administrative Authority will issue a public notice for final approval the Class 3 permit modification. The resultant modified permit will include schedules for remedy implementation as well as financial assurance provisions as required by Condition VIII.A.5 of this permit.

VIII.K. DETERMINATION OF NO FURTHER ACTION

VIII.K.1. NFA-ATT DETERMINATIONS FOR SPECIFIC SWMUs/AOCs

- VIII.K.1.a.** Based on the results of the site investigations, screening, risk evaluations and risk management activities, the Permittee may request a NFA-ATT determination for a specific SWMU/AOC by submittal of a Class 1¹ permit modification (¹ requiring Administrative Authority approval) request under LAC 33:V.321.C.1. The NFA-ATT request must contain information demonstrating that there are no releases of hazardous constituents from a particular SWMU/AOC that pose a threat to human health and/or the environment.

The basis for the determination of NFA-ATT shall follow the guidelines as described in the RECAP (Section 1.2.1 of RECAP) for each AOI, depending on the MO used.

- VIII.K.1.b.** If, based upon review of the Permittee's request for a permit modification, the results of the site investigations,

and other information the Administrative Authority determines that releases or suspected releases from an individual SWMU/AOC which were investigated either are non-existent or do not pose a threat to human health and/or the environment, the Administrative Authority may grant the requested modification.

- VIII.K.1.c.** In accordance with LAC 33:V.321.C.1.a.ii, the Permittee must notify the facility mailing list within ninety (90) days of the Administrative Authority's approval of the Class 1¹ permit modification (¹ requiring Administrative Authority approval) request.

VIII.K.2. FACILITY-WIDE NFA-ATT DETERMINATION

- VIII.K.2.a.** Upon the completion of all activities specified in the Risk Management Plan and after all SWMUs and AOCs at the facility have been remediated according to the standards dictated by the selected RECAP MO, the Permittee shall submit a summary report supporting a determination of NFA-ATT on a facility-wide basis.
- VIII.K.2.b.** The summary report must include a historical narrative for each SWMU/AOC at the site that includes a summary of the investigation, sampling & analysis, remedial, and confirmatory sampling activities leading to the NFA-ATT request. The basis for the determination of NFA-ATT shall follow the guidelines as described in the RECAP (Section 1.2.1 of RECAP) for each AOI, depending on the MO used. The facility-wide NFA-ATT determination must consider any newly-identified SWMUs/AOCs discovered after submittal of the Risk Management Plan.
- VIII.K.2.c.** The Administrative Authority will review and evaluate the summary report and subsequently either inform the Permittee in writing that the report is acceptable for public review or issue a notice of deficiency.
- VIII.K.2.d.** If the Administrative Authority determines the summary report does not fully demonstrate that all remedial objectives have been satisfied, the Administrative Authority shall notify the Permittee in writing of the summary report's deficiencies and specify a due date for submittal of a revised summary report.
- VIII.K.2.e.** After the Administrative Authority has determined the facility-wide NFA-ATT summary report is acceptable for

public review, the Administrative Authority shall inform the Permittee in writing and instruct the Permittee to submit the summary report as a Class 3 permit modification request in accordance with the requirements of LAC 33:V.321.C.3.

VIII.K.2.f. After conclusion of a 60-day comment period, the Administrative Authority will either grant or deny the Class 3 permit modification request. In addition the Administrative Authority must consider and respond to all significant comments received during the 60-day comment period.

VIII.K.2.g. If, based upon review of the Permittee's Class 3 permit modification request, the results of the site investigations, confirmatory sampling, and other pertinent information, the Administrative Authority determines that all SWMUs and AOCs have been remediated to the selected MO and no further action at the facility is warranted, the Administrative Authority will grant the modification request.

VIII.K.2.h. If the Class 3 Modification request is granted, the Administrative Authority shall prepare a draft permit incorporating the proposed changes in accordance with LAC 33:V.703.C and solicit public comment on the draft permit modification according to Condition VIII.N.4 of this permit.

VIII.K.2.i. If, after considering all public comments, the Administrative Authority determines that all activities specified in the Risk Management Plan have been completed and that all SWMUs and AOCs have been remediated to the selected MO, the Class 3 permit modification for facility-wide NFA-ATT will receive final approval. The CAS permit conditions will remain a part of the modified permit in the event that the remedial actions taken fail to maintain the established performance standard and to address any SWMUs/AOCs discovered at a later date.

VIII.K.3. CONTINUED MONITORING

If necessary to protect human health and/or the environment, a determination of NFA-ATT shall not preclude the Administrative Authority from requiring continued monitoring of air, soil, groundwater,

or surface water, when site-specific circumstances indicate that releases of hazardous waste or hazardous constituents are likely to occur.

VIII.K.4. ADDITIONAL INVESTIGATIONS

A determination of NFA-ATT shall not preclude the Administrative Authority from requiring further investigations, studies, or remediation at a later date, if new information or subsequent analysis indicates a release or likelihood of a release from a SWMU/AOC at the facility that is likely to pose a threat to human health and/or the environment. In such a case, the Administrative Authority shall initiate a modification to the Permit according to LAC 33:V.321.

VIII.L. NOTIFICATION REQUIREMENTS FOR AND ASSESSMENT OF NEWLY-IDENTIFIED SWMUs AND POTENTIAL AOCs

VIII.L.1. The Permittee shall notify the Administrative Authority, in writing, of any newly-identified SWMUs and potential AOCs (i.e., a unit or area not specifically identified during previous corrective action assessments, RFA, etc.), discovered in the course of ground water monitoring, field investigations, environmental audits, or other means, no later than thirty (30) days after discovery. The Permittee shall also notify the Administrative Authority of any newly-constructed land-based SWMUs (including but not limited to, surface impoundments, waste piles, landfills, land treatment units) and newly-constructed SWMUs where any release of hazardous constituents may be difficult to identify (e.g., underground storage tanks) no later than thirty (30) days after construction. The notification shall include the following items, to the extent available:

VIII.L.1.a. The location of the newly-identified SWMU or potential AOC on the topographic map required under LAC 33:V.517.B. Indicate all existing units (in relation to other SWMUs/AOCs);

VIII.L.1.b. The type and function of the unit;

VIII.L.1.c. The general dimensions, capacities, and structural description of the unit (supply any available drawings);

VIII.L.1.d. The period during which the unit was operated;

VIII.L.1.e. The specifics, to the extent available, on all wastes that have been or are being managed at the SWMU or potential AOC; and

VIII.L.1.f. Results of any sampling and analysis required for the

purpose of determining whether releases of hazardous waste including hazardous constituents have occurred, are occurring, or are likely to occur from the SWMU/AOC.

VIII.L.2. Based on the information provided in the notification, the Administrative Authority will determine whether or not the area is a newly-identified SWMU or AOC. If the area is determined to be a newly-identified SWMU or AOC, the Administrative Authority will inform the Permittee in writing and request that the Permittee submit a Class 1¹ permit modification (¹requiring Administrative Authority approval) request under LAC 33:V.321.C.1 to add the newly-identified SWMU/AOC to Appendix 1, Table 1 of this permit.

Further, the Administrative Authority will determine the need for further investigations or corrective measures at any newly identified SWMU or AOC. If the Administrative Authority determines that such investigations are needed, the Administrative Authority may require the Permittee to prepare a plan for such investigations. The plan for investigation of SWMU or AOC will be reviewed for approval as part of the current CAS Investigation Workplan or a new CAS Investigation Workplan. The results of the investigation of any newly-discovered SWMU/AOC shall be incorporated into the CSM.

VIII.M. NOTIFICATION REQUIREMENTS FOR NEWLY-DISCOVERED RELEASES AT A SWMU OR AOC

The Permittee shall notify the Administrative Authority of any release(s) from a SWMU or AOC of hazardous waste or hazardous constituents discovered during the course of ground water monitoring, field investigation, environmental auditing, or other means. The notification must be in accordance with the procedures specified in Conditions II.E.16 through II.E.20 of this permit and based upon the nature, extent, and severity of the release. Such newly-discovered releases may be from newly-identified SWMUs or AOCs, newly-constructed SWMUs, or from SWMUs or AOCs for which, based on the findings of the CSM, completed RECAP Report, or investigation of an AOC, the Administrative Authority had previously determined no further investigation was necessary. The notification shall include information concerning actual and/or potential impacts beyond the facility boundary and on human health and the environment, if available at the time of the notification.

The Administrative Authority may require further investigation and/or interim measures for the newly-identified release(s), and may require the Permittee to prepare a plan for the investigation and/or interim measure. The plan will be reviewed for approval as part of the CAS Investigation Workplan or a new CAS Investigation Workplan. The Permit will be modified to incorporate the investigation, according to the Class 1¹ permit modification (¹requiring Administrative Authority approval)

procedures under LAC 33:V.321. The results of the investigation of any newly-identified release(s) shall be incorporated into the CSM.

VIII.N. PUBLIC PARTICIPATION REQUIREMENTS

Public participation is an essential element in the implementation of any corrective action program at the facility. The CAS promotes the early and continued involvement of stakeholders in site remediation activity during permit issuance, renewal, or modification. The public is invited to review and comment on the corrective action requirements contained in any draft permitting decisions or draft permit modification documents and the associated plans and reports submitted by the Permittee. The Administrative Authority reserves the right to require more extensive public participation requirements based upon site-specific conditions and other relevant factors (e.g., compliance history, potential offsite impact, community interest, etc.). At a minimum, the public participation requirements shall include the following.

VIII.N.1. NFA-ATT Determinations for Specific SWMUs/AOCs

Based on the results of the site investigations, screening, risk evaluations and risk management activities, the Permittee may request a NFA-ATT determination for a specific SWMU/AOC by submittal of a Class 1¹ permit modification request (¹ requiring Administrative Authority approval) under LAC 33:V.321.C.1. The Permittee must notify the facility mailing list within 90 days of the Administrative Authority's approval of the Class 1¹ permit modification request, in accordance with LAC 33:V.321.C.1.a.ii and Condition VIII.K.1.c of this permit.

VIII.N.2. Draft Permitting Decision

The public may review and comment on the terms and conditions of the CAS during the public notice and comment period of the draft permitting decision. The Administrative Authority shall issue public notice upon preparation of the draft permitting decision in accordance with LAC 33:V.715. During the forty-five (45) day public comment period, the Administrative Authority will accept public comments on the draft permitting decision. At the end of the public comment period, the Administrative Authority will consider and address all public comments and make any necessary revisions to the draft permitting decision. After addressing all public comments, the Administrative Authority will issue a public notice for issuance of the final permitting decision. The final permitting decision will include a "Responsiveness Summary" detailing all comments received on the draft permitting decision and the actions taken (if necessary) to correct the draft before issuance of the final permitting decision.

VIII.N.3. Final Remedy Selection

The public may review and comment on the terms and conditions of the Risk Management Plan as described in Conditions VIII.J.4 through VIII.J.7 of this permit. If after addressing all public comments the Administrative Authority determines that the Risk Management Plan is satisfactory, the Administrative Authority will prepare a draft permit modification document in accordance with LAC 33:V.703.C.

The draft permit modification document will include a "Basis of Decision". The "Basis of Decision" will identify the proposed remedy for corrective action at the site and the reasons for its selection, describe all other remedies that were considered, and solicit for public review and comments on the Risk Management Plan included in the draft permit modification document.

After addressing all public comments, the Administrative Authority will issue a public notice for issuance of the final permit modification. The final permit modification will include a "Responsiveness Summary" detailing all comments received on the draft permit modification and the actions taken (if necessary) to correct the draft before issuance of the final permit modification.

VIII.N.4. Facility-Wide NFA-ATT

Upon the completion of all activities specified in the Risk Management Plan and after all facility remedial objectives have been met, the Permittee may submit a summary report for a determination of NFA-ATT on a facility-wide basis in accordance with Condition VIII.K.2 of this permit. The public may review and comment on the summary report as described in Condition VIII.K.2.b. If after addressing all public comments the Administrative Authority determines that all SWMUs and AOCs have been remediated to the selected MO and no further action at the facility is warranted, the Administrative Authority will prepare a draft permit modification document in accordance with LAC 33:V.703.C.

The draft permit modification document will include a "Basis of Decision". The "Basis of Decision" will provide a summary detailing contamination sources, site investigations, the MO selected for the facility, facility remedial standards, remedial actions, and sampling results demonstrating that the facility remedial standards have been achieved.

After addressing all public comments, the Administrative Authority will issue a public notice for issuance of the final permit modification. The final permit modification will include a "Responsiveness Summary" detailing all comments received on the draft permit modification and the

actions taken (if necessary) to correct the draft before issuance of the final permit modification.

Table 1: Corrective Action Strategy Notification and Reporting Requirements

Below is a summary of the major notifications and reports that may be required by the Administrative Authority under the Corrective Action Strategy of this Permit in the event of releases requiring RCRA corrective action. The Administrative Authority will notify the Permittee of the notification and reporting requirements during the scoping meeting or another applicable stage of the corrective action process.

<u>Actions</u>	<u>Due Date</u>
Submit Notice of Intent to request use of the CAS to the Administrative Authority for review and comment (Condition VIII.B.1)	Within sixty (60) days of the notification as per Condition VIII.L and VIII.M of this permit (if facility corrective action is required)
CAS Scoping Meeting held between facility and Administrative Authority (Condition VIII.B.2)	Within sixty (60) days of submittal of the Notice of Intent
Submit Progress Reports on all activities to the Administrative Authority (Condition VIII.C.1)	Schedule to be determined by the Administrative Authority on a case-by-case basis
Make available other reports relating to corrective action to the Administrative Authority (Condition VIII.C.2)	Upon request of the Administrative Authority
Provide briefings to the Administrative Authority (Condition VIII.C.3)	As necessary and upon request by the Administrative Authority
Submit Conceptual Site Model (CSM) (Condition VIII.D) and facility Performance Standards (Condition VIII.A.2) to the Administrative Authority	Within one-hundred and twenty (120) days after the scoping meeting
Perform Interim Measures (Condition VIII.E)	As determined by the Administrative Authority on a case by case basis
Submit Corrective Action Strategy (CAS) Workplan for the facility investigation to the Administrative Authority (Condition VIII.F)	Within one-hundred and eighty (180) days after the CAS Scoping Meeting
Implement site investigation activities under CAS Investigation Workplan according to approved schedule (Condition VIII.G)	Within fourteen (14) days of receipt of approval by the Administrative Authority
Submit RECAP Report to the Administrative Authority (Condition VIII.H)	Within ninety (90) days of completion of the site investigation
Submittal of Remedial Alternatives Study (RAS) to the Administrative Authority (Condition VIII.I)	Within ninety (90) days of completion of approval of the RECAP Report by the Administrative Authority

Submit Risk Management Plan to the Administrative Authority (Condition VIII.J)	Within sixty (90) days of approval of the RAS by the Administrative Authority
Submit NFA (and Permit Modification) request to the Administrative Authority (Condition VIII.K)	As necessary
Notification of newly-identified SWMUs and potential AOCs (Condition VIII.L)	Thirty (30) days after discovery
Notification of newly-discovered releases (Condition VIII.M)	Fifteen (15) days after discovery

APPENDIX 1

SUMMARY OF CORRECTIVE ACTION ACTIVITIES

The intent of Appendix 1 is to provide an overview of the history and current status of the corrective action process at the site at the time of issuance of the final permit and may not necessarily provide a definitive regulatory determination for a particular SWMU or AOC. The clarification of an individual SWMU or AOC is subject to change by the Administrative Authority base on future geological and hydrological conditions and future information available to the Administrative Authority.

The Facility conducted an RCRA Facility Investigation (RFI) in 1993. These investigation activities identified seven (7) Areas of Concern (AOCs) at the Facility and one outfall ditch (outfall 002) where contamination was present. The RFI Report identified releases of hazardous waste, hazardous waste constituents and solid waste to both soil and groundwater in Areas 1-6, and to soil in Area 7. Releases of hazardous waste, hazardous waste constituents and solid waste were also identified in the outfall ditch (outfall 002) sediments. The groundwater and ditch sediments were identified as the primary media of concern at the Facility. For the groundwater, volatile organics (such as benzene, 1,2-dichloropropane, tetrachloroethylene), semi-volatile organics, herbicides and pesticides were identified and evaluated as Chemicals of Concern in a Detailed Risk Assessment dated December 2, 1993 and the Addendum to the Risk Assessment dated July 31, 1995.

The Clean Harbors Baton Rouge, LLC Facility has an active groundwater extraction system that has been in operation since early 1980. The Facility also conducts groundwater monitoring as mandated by the RCRA operating permit and the post-closure permits.

On June 30, 2003, the LDEQ approved the Final Remedy for AOC's that the RFI identified as needing further remediation. The Final Remedy that was approved is Alternative 1 of the Corrective Measures Study, dated August 3, 1995, and the Addendum No. 2 Corrective Measures Study, dated August 24, 1998, for the seven (7) areas identified. The Final Remedy consists of enhancement of the current groundwater recovery and treatment system and the capping of the solid waste management unit areas with an engineered barrier. The Final Remedy for the 002 outfall ditch sediment is Alternative 1, which will consist of segregating the contaminated sediment by removal and secure landfilling. In addition the Final Remedy will also include: institutional controls to prohibit unauthorized access into the facility and limit access to, or use of, the groundwater in the facility area; and continuation of the ongoing groundwater corrective action monitoring program using the existing monitoring well network to monitor the effectiveness of the remedies.

The remedies meet the Corrective Measures Study objectives of protecting human health and the environment, having short- and long-term reliability and effectiveness, and reducing the mobility and volume of wastes. The Risk Assessment and Groundwater Modeling conducted as part of the CMS demonstrated the effectiveness of these remedies to protect human health and the environment, and concluded that there are no completed exposure pathways to human or ecological receptors.

The LDEQ issued an Administrative Order to Clean Harbors Baton Rouge, LLC, dated December 3, 2003, and an Addendum to the Administrative Order, dated January 1, 2004, for the Corrective Measures Implementation (CMI) Work Plan that would also provide details on implementing the Final Remedy Selection discussed above.

Clean Harbors Baton Rouge Facility will begin the implementation of the Corrective Action Strategy (CAS) with the implementation of the CMI Work Plan, once approved by the Administrative Authority. The CMI Work Plan is equivalent to the submittal of a "Remedial Alternative Study (RAS) under the CAS."

Site Geological and Hydrogeological Summary

The Clean Harbors Baton Rouge, LLC Facility is located where the Holocene Mississippi River Alluvial Valley adjoins the low Late Pleistocene Prairie Complex. The site is located entirely in the Prairie complex deposits and east of the Holocene deposits. The geologic processes have created nine stratigraphic units within the upper 150 feet of the site. The units consist of fine-grained deposits created by natural levee, crevasse splay, back swamp, valley fill, and weathered loess depositional environments. These geologic units are designated 1 through 9 from the surface downward. Units 3 and 4 are the upper permeable units located between 20 and 40 feet below ground grade. Units 6 and 8 are the lower permeable units located between 45 and 75 and 80 and 110 feet below grade, respectively. Units 1, 2, 5, 7, and 9 represent fine grain aquitards separating these permeable units. Groundwater in Units 3, 4, 6, and 8 is monitored at the Facility.

The site is underlain by the Southern Hills Regional Aquifer System. The shallowest of these aquifers is present at a depth of approximately 200 feet below grade or approximately 50 feet below geologic unit 8 at the site. The aquifers present at the site include the 400 Foot, 600 Foot, 800 Foot, 1000 Foot, 1200 Foot, 1500 Foot, 1700 Foot, 2000 Foot, 2400 Foot, and 2800 Foot Sands. These aquifers are used for potable and industrial water supplies. Thick and extensive zones of clay between these deeper aquifers and shallow permeable units provide a barrier for vertical migration of contaminants.

Historical Background

A RCRA Facility Investigation (RFI) was completed in 1993. These investigation activities identified seven (7) Areas of Concern (AOCs) at the Facility and one outfall ditch (outfall 002) where contamination is present. Six (6) areas (Areas 1 through 6) impact both soil and groundwater while the seventh area (Area 7) only impacts soil. Contamination was also identified in the 002 outfall ditch sediment (primarily polychlorinated biphenyls). The groundwater and ditch sediments were identified as the primary media of concern at the facility. For the groundwater, volatile organics (such as benzene, 1,2-dichloropropane, and tetrachloroethylene), semi-volatile organics, herbicides, and pesticides, were identified and evaluated as Chemicals of Concern in a Detailed Risk Assessment. The risk assessment determined that the potential for on-site exposure was within the EPA accepted levels for both the baseline and proposed remedial alternatives. The Facility has an active groundwater extraction and containment system that has been in operation since the early 1980s. The Facility

also conducts groundwater monitoring as mandated by the Facility's current operating and post-closure permits.

Areas of Concern (AOC)

AOC 1 & 2 (South Landfill / Hypurle Area), AOC 4 (Landfill Cells 619 & 719)

These areas will be covered with an engineered cap as a part of the overall site remedy.

AOC 3 (area south of the West Landfill area), AOC 5 & 6 (Process Area and vicinity), AOC 7 (southwest of Landfill Cell 717)

The existing groundwater recovery system which consists of 16 recovery wells will be enhanced through the proposed addition of 13 new pumping wells. Additionally, the current cumulative pumping rate of approximately 13 gallons per minute (gpm) will be enhanced with the additional recovery wells to 54 gpm. The groundwater recovery system is intended to reduce groundwater potentiometric heads in order to isolate and minimize the migration of contaminants.

Outfall 002 Ditch Area

PCB-impacted soils and sediment in this area will be excavated and disposed at a secure landfill.

Summary and Status of Corrective Action Activities

Corrective action has been ongoing at the facility since the 1980s. Based on the RCRA Facility Investigation (RFI) for the facility completed in 1993, 8 Areas of Concern have been identified at the site. In a transmittal letter dated March 1, 2008, Clean Harbors has submitted a Corrective Measures Implementation Work Plan (dated February 2008) which will provide the final remedy for these Areas of Concern. This entails enhancement of the current groundwater recovery well system from 16 recovery wells, pumping at a rate of 13 gpm, to a total of 29 recovery wells (13 additional recovery wells in AOC 3, 5, 6, and 7) that will have a pumping rate of 54 gpm. Additionally, ditch sediments at the Outfall 002 will be excavated and removed to a secure landfill.

CAS Process

Clean Harbors Baton Rouge, LLC will enter the CAS process at the following stages:

Submit Notice of Intent to request use of the CAS to the Administrative Authority for review and comment (Condition VIII.B.1)	Within sixty (60) days of the notification as per Condition VIII.L and VIII.M of this permit (if facility corrective action is required)
CAS Scoping Meeting held between facility and Administrative Authority (Condition VIII.B.2)	Within sixty (60) days of submittal of the Notice of Intent

Submit Conceptual Site Model (CSM) (Condition VIII.D) and facility Performance Standards (Condition VIII.A.2) to the Administrative Authority	Within one-hundred and twenty (120) days after the scoping meeting
Submit Corrective Action Strategy (CAS) Workplan for the facility investigation to the Administrative Authority (Condition VIII.F)	Within one-hundred and eighty (180) days after the CAS Scoping Meeting
Implement site investigation activities under CAS Investigation Workplan according to approved schedule (Condition VIII.G)	Within fourteen (14) days of receipt of approval by the Administrative Authority
Submit RECAP Report to the Administrative Authority (Condition VIII.H)	Within ninety (90) days of completion of the site investigation
Submittal of Remedial Alternatives Study (RAS) to the Administrative Authority (Condition VIII.I)	Within ninety (90) days of completion of approval of the RECAP Report by the Administrative Authority
Submit Risk Management Plan to the Administrative Authority (Condition VIII.J)	Within sixty (90) days of approval of the RAS by the Administrative Authority
Submit NFA (and Permit Modification) request to the Administrative Authority (Condition VIII.K)	As necessary
Notification of newly-identified SWMUs and potential AOCs (Condition VIII.L)	Thirty (30) days after discovery
Notification of newly-discovered releases (Condition VIII.M)	Fifteen (15) days after discovery

ATTACHMENT 1

ATTACHMENT 1
LIST OF FACILITY DOCUMENTS INCORPORATED
IN THE PERMIT BY REFERENCE
LAD 010 395 127
AI# 1516

DOCUMENT TYPE	APPLICATION/ DOCUMENT DATE	ELECTRONIC DATABASE MANAGEMENT SYSTEM (EDMS) DOCUMENT ID NO.	COMMENTS
Closure Plan/Post- Closure Plan and Cost Estimates	January 18, 2008	36562504	Responses to November 16, 2007, Notice of Deficiency Vol. 2, Appendix L
Contingency Plan	April 15, 2008	36756675	Responses to March 13, 2008, Notice of Deficiency Vol. 1, Appendix I
Inspection Plan	April 15, 2008	36756675	Responses to March 13, 2008, Notice of Deficiency Vol. 1, Appendix H
Personnel Training Plan	January 18, 2008	36562504	Responses to November 16, 2007, Notice of Deficiency Vol. 2, Appendix K
Waste Analysis Plan	April 15, 2008	36756675	Responses to March 13, 2008, Notice of Deficiency Vol. 1, Appendix G
Revised Groundwater Sampling and Analysis Plan (GWSAP)	January 18, 2008	36561686	Responses to November 16, 2007, Notice of Deficiency Vol. 3, Appendix P
Corrective Measure Study (CMS)	January 18, 2008	36561686	Responses to November 16, 2007, Notice of Deficiency Vol. 3, Appendix P
Administrative Order	December 3, 2003	30102867	Corrective Measures Implementation (CMI) Workplan

RESPONSIVENESS SUMMARY



RESPONSIVENESS SUMMARY

**CLEAN HARBORS BATON ROUGE, LLC
HAZARDOUS WASTE OPERATING RENEWAL PERMIT
LAD 010 395 127
AGENCY INTEREST NO. 1516**

ITEM: 1

REFERENCE: Clean Harbors's October 13, 2008 comments on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Part A, Page 1 of 6.

COMMENT: The Facility actually has two additional permits that are not captured on the PART A form, LAD 981 059 017 (Permit type = E, 10-Day Transfer Facility) and 3007 (Permit type = P; Air Permit; small source for Batch Treatment in the WWT system). The Facility respectfully requests the inclusion of the above mentioned permits on the PART A.

LDEQ RESPONSE: The LDEQ acknowledges the above comment. The Facility must submit a revised Part A to the LDEQ as a Class 1 permit modification, in accordance with LAC 33:V.321.C.1 and LAC 33:V.322.A.1 to include the two additional permits.

ACTION: No action to the permit is necessary. The permit has not been revised.

RESPONSIVENESS SUMMARY

CLEAN HARBORS BATON ROUGE, LLC
HAZARDOUS WASTE OPERATING RENEWAL PERMIT
LAD 010 395 127
AGENCY INTEREST NO. 1516

ITEM: 2

REFERENCE: Clean Harbors's October 13, 2008 comments on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Permit Condition II.E.25.d, Page 16.

COMMENT: The schedule of completion of repairs to the Thermal Oxidizer and the performance requirements of the unit should be addressed independently from Tank 7002. The S&E Building and associated Thermal Oxidizer unit are used for the repackaging of Subpart CC materials that do not necessitate the use of Tank 7002. The Facility proposes that the language of this section be modified to state: "Within sixty-days (60) days of completion of repairs to the Thermal Oxidizer unit enclosure (S&E Building), the Permittee shall perform a demonstration that the Thermal Oxidizer meets the performance requirements for a control device under LAC 33:V.1761.C.5. The results of this demonstration shall be submitted to the Administrative Authority for approval no later than 150 days after completion of repairs to the Thermal Oxidizer unit."

LDEQ RESPONSE: The LDEQ acknowledges the above comment but does not concur. The alternative language proposed describes the S&E Building as the "Thermal Oxidizer unit enclosure (S&E Building)." This is incorrect, since the building does not enclose the thermal oxidizer unit. The term "Tank 7002 tank system enclosure (S&E Building)" used in the draft permit is a more accurate statement/description. The main purpose of this permit condition is to assure that the Thermal Oxidizer will have a performance test done.

ACTION: No action to the permit is necessary. The permit has not been revised.

RESPONSIVENESS SUMMARY

CLEAN HARBORS BATON ROUGE, LLC
HAZARDOUS WASTE OPERATING RENEWAL PERMIT
LAD 010 395 127
AGENCY INTEREST NO. 1516

ITEM: 3

REFERENCE: Clean Harbors's October 13, 2008 comments on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Permit Condition II.E.26, Page 16.

COMMENT: It is the facility's understanding from the phone discussions with the Department that the language, "Within thirty (30) days of the effective date of this permit, the Permittee shall submit a Waste Analysis Plan with additional analytical methods" is boiler plate language. From discussions, this statement is aimed at any new processes that might require an alteration or additional analytical method not previously specified in the current Waste Analysis Plan. The facility respectfully requests that the language be adjusted to reflect that the facility will within (30) days submit to the Department an updated Waste Analysis Plan with additional analytical methods when any new process that requires additional analytical methods are needed or required.

LDEQ RESPONSE: The LDEQ acknowledges the above comment and concurs. Permit Condition II.E.26 has been "RESERVED."

ACTION: Permit Condition II.E.26 was revised from "Within thirty (30) days of the effective date of this permit, the Permittee shall submit a Waste Analysis Plan with additional analytical methods" to "RESERVED."

RESPONSIVENESS SUMMARY

CLEAN HARBORS BATON ROUGE, LLC HAZARDOUS WASTE OPERATING RENEWAL PERMIT LAD 010 395 127 AGENCY INTEREST NO. 1516

ITEM: 4

REFERENCE: Clean Harbors's October 13, 2008 comments on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Permit Condition III.A.2, Page 19.

COMMENT: This permit language does not allow for the facility to lawfully accept for treatment, storage, or disposal any hazardous waste generated outside of the United States' or its territories. The facility respectfully requests that this language be modified to state that the facility must comply with LAC 33:V.1123 to accept for treatment, storage, or disposal of any hazardous waste generated outside of the United States' or its territories.

LDEQ RESPONSE: The LDEQ acknowledges the above comment and concurs. The Permit Condition has been revised.

ACTION: Permit Condition III.A.2 was revised to "If treating, storing, or disposing of hazardous waste generated outside the United States or its territories, the Permittee shall comply with all applicable regulatory requirements, specifically LAC 33:V.1101.C, 1123 and 1125."

RESPONSIVENESS SUMMARY

**CLEAN HARBORS BATON ROUGE, LLC
HAZARDOUS WASTE OPERATING RENEWAL PERMIT
LAD 010 395 127
AGENCY INTEREST NO. 1516**

ITEM: 5

REFERENCE: Clean Harbors's October 13, 2008 comments on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Permit Condition III.O.7, Table 1, Page 25.

COMMENT: The Table describes the containment capacities, volumes of largest containers allowed, and the total permitted capacities. The volume of the largest container allowed in PAD E should reflect 5,000 gallons. As the Department is aware, the facility is allowed to perform gulping activities in this area. Gulping includes pumping of smaller containers into larger containers to include tankers or the reverse of this process. The change in the language or gallons does not impact the total containment capacity or total permitted storage capacity. Secondary containment of PAD E has enough secondary containment capacity to contain at least ten percent (10%) of the total volume of containers or the volume of the largest container (5,000 gallons). The Facility recommends changing Table 1 to reflect 5,000 gallons as the volume of the largest container allowed in PAD E.

LDEQ RESPONSE: The LDEQ acknowledges the above comment and concurs. The permit application shows that Pad E has enough capacity to accommodate a 5,000 gallon container while maintaining compliance with the secondary containment requirements of LAC 33:V.1907. Permit Condition III.O.7, Table 1 has been revised.

ACTION: Permit Condition III.O.7, Table 1 was revised from "350 gallons to 5,000 gallons."

RESPONSIVENESS SUMMARY

CLEAN HARBORS BATON ROUGE, LLC
HAZARDOUS WASTE OPERATING RENEWAL PERMIT
LAD 010 395 127
AGENCY INTEREST NO. 1516

ITEM: 6

REFERENCE: Clean Harbors's October 13, 2008 comments on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Permit Condition IV.B. Table 5, Page 31.

COMMENT: The Table describes the containment capacities, volumes of largest containers allowed, and the total permitted capacities. The volume of the largest container allowed in PAD E should reflect 5,000 gallons. As the Department is aware, the facility is allowed to perform gulping activities in this area. Gulping includes pumping of smaller containers into larger containers to include tankers or the reverse of this process. The change in the language or gallons does not impact the total containment capacity or total permitted storage capacity. Secondary containment of PAD E has enough secondary containment capacity to contain at least ten percent (10%) of the total volume of containers or the volume of the largest container (5,000 gallons). The Facility recommends changing Table 5 to reflect 5,000 gallons as the volume of the largest container allowed in PAD E.

LDEQ RESPONSE: The LDEQ acknowledges the above comment and concurs. The permit application shows that Pad E has enough capacity to accommodate a 5,000 gallon container while maintaining compliance with the secondary containment requirements of LAC 33:V.1907. Permit Condition IV.B, Table 5 has been revised.

ACTION: Permit Condition IV.B, Table 5 was revised from "350 gallons to 5,000 gallons."

RESPONSIVENESS SUMMARY

CLEAN HARBORS BATON ROUGE, LLC HAZARDOUS WASTE OPERATING RENEWAL PERMIT LAD 010 395 127 AGENCY INTEREST NO. 1516

ITEM: 7

REFERENCE: Clean Harbors's October 13, 2008 comments on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Permit Condition V.C.3.e, Page 54.

COMMENT: This permit language (reference LAC 33:V.2521.C) requires notification during post-closure within 7 days of liquid leaks into the detection system of the Landfill Cell 904. This landfill cell is constructed with composite liner systems consisting of recompacted clays and geosynthetic liners. Liquids from rainfall during construction and consolidation of the clays are typically detected in the leak detection, collection, and removal systems of these type landfill cells during construction, operation, closure and post-closure. LAC 33:V.2504.A-D (Leakage Rate), LAC 33:V.2507.A-D (Monitoring and Inspection), LAC 33:V.2508.A-C (Response Action) and acceptable design guidelines recognize the potential for liquids in the landfill leak detection systems from other sources within the liner systems. The Clean Harbors Baton Rouge, LLC Facility (Facility) renewal application included recommendations regarding detection and notification of leaks in responses to these Chapter 25 regulations. The Facility requests that the permit language be modified to include the following or similar language: "The guidelines outlined in LAC 33:V.2504.A-B (Leakage Rate), LAC 33:V.2507.A-D (Monitoring and Inspection), and LAC 33:V.2508.A-C (Response Action) shall be used to determine if a leak into the leachate detection systems has occurred, the Facility will notify the LDEQ, Office of Environmental Services in writing within seven days."

LDEQ RESPONSE: The LDEQ acknowledges the above comment and concurs. The permit condition has been revised.

ACTION: Permit Condition V.C.3.e was revised to "In accordance with LAC 33:V.2504.A-B, LAC 33:V.2507.A-D and LAC 33:V.2508.A-C, if during the post-closure care period a leak into the leachate detection systems occurs, the Permittee must notify the Office of Environmental Services of the leak in writing within seven (7) days after detecting the leak."

RESPONSIVENESS SUMMARY

**CLEAN HARBORS BATON ROUGE, LLC
HAZARDOUS WASTE OPERATING RENEWAL PERMIT
LAD 010 395 127
AGENCY INTEREST NO. 1516**

ITEM: 8

REFERENCE: Clean Harbors's October 13, 2008 comments on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Permit Condition VI.A.APPLICABILITY, Page 55.

COMMENT: As indicated in the subject permit renewal application and subsequent responses to Technical NODs, the Facility has a site wide groundwater monitoring and corrective action program. The current sampling requirements for all of the Facility wells is in accordance with Post-Closure Permit LAD 010 395 127-PC-3 (Landfill Cell 717). Section VI.A. Applicability, on Page 24 of this post-closure permit reads as follows: "The Groundwater Protection requirements of this post-closure permit supersede requirements set forth in the Final Modified Operating Permit and the Post-Closure Permits for Cells 901 and 902 for the facilities at the North Baton Rouge complex and additionally are applicable to the following unit as identified on Figure VI-1, Condition VI.A..." The wells listed in this subject draft permit for Landfill Cell 904 are also used in the Facility wide program for the other closed units (Cells 717, 901 and 902) at the Facility. The sampling requirements proposed in this draft operating permit for these common wells is different from that in the other post-closure permits. In order to clarify and avoid conflicting requirements with these other permits, we recommend the following or similar language be added to section VI.A of this operating permit renewal:

"The Groundwater Protection requirements for the point of compliance, compliance upgradient and downgradient, and corrective action wells of this Hazardous Waste Operating Permit Renewal will supersede requirements set forth for these same wells in Post-Closure Permits LAD 010 395 127-PC-1, PC-2, PC-3 (Cells 901, 902, and 717)."

LDEQ RESPONSE: The LDEQ acknowledges the above comment. Permit Condition VI.A will not be revised but Permit Condition VI.B has been revised to include clarification of the groundwater protection requirements for Landfill Cells 717, 901 and 902.

ACTION:

No action taken for Permit Condition VI.A.

Permit Condition VI.B was revised to "The Permittee must continue to conduct compliance monitoring and corrective actions using all existing systems necessary to comply with monitoring programs for Landfill Cells 901, 902 and 717, as per the regulatory requirements of their respective post-closure permit(s) and for Landfill Cell 904 as specified herein. The Permittee shall include in the annual report a revised table showing all point of compliance, compliance, and corrective action wells, and all piezometers. On-going corrective actions must continue as approved by the Administrative Authority under this operating permit and current post-closure permits until groundwater protection standards have been achieved at facility. All wells and piezometers associated with Landfill Cell 904 must be maintained, protected from moving equipment and cannot be abandoned unless approved at a later date by the Administrative Authority."

RESPONSIVENESS SUMMARY

CLEAN HARBORS BATON ROUGE, LLC HAZARDOUS WASTE OPERATING RENEWAL PERMIT LAD 010 395 127 AGENCY INTEREST NO. 1516

ITEM: 9

REFERENCE: Clean Harbors's October 13, 2008 comments on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Permit Condition VI.G.6, Page 62.

COMMENT: Due to the number of wells (100+), sampling frequencies and extensive analyte list, the detailed laboratory analytical test reports, field forms and chain of custodies have not been included in the Annual and Semi-Annual Groundwater Reports submitted to LDEQ in fulfillment of the current operating and post-closure permits. The analytical data is summarized in tables for each well (see requirements listed for semi-annual reports in Section VI.J.4., on page 67 of the subject draft permit renewal). Copies of the detail reports, field forms, and chain of custodies are kept onsite at the Facility site and can be provided to the LDEQ on request. We recommend that this requirement not be a specific permit condition but rather handled on a case by case request.

LDEQ RESPONSE: The LDEQ acknowledges the above comment and concurs. The permit has been revised to address the above comments.

ACTION: Permit Condition VI.G.6 was revised to "Standard groundwater monitoring events will be conducted on a semi-annual frequency. Copies of the detail reports, field forms, and chain of custodies are kept onsite at the Facility and shall be provided to the LDEQ upon request. The semi-annual report shall, at a minimum, contain:

- Groundwater surface potentiometric maps;
- Statistical analysis results for point of compliance (POC) and/or other required wells. Statistical analyses will be performed in accordance with GWSAP, and the applicable monitoring program requirements for each well of interest;
- Determination if measured concentrations in point of compliance (POC) and/or other required wells exceed concentration limits for constituents listed in Condition VI.Table 1;"

RESPONSIVENESS SUMMARY

CLEAN HARBORS BATON ROUGE, LLC
HAZARDOUS WASTE OPERATING RENEWAL PERMIT
LAD 010 395 127
AGENCY INTEREST NO. 1516

ITEM: 10

REFERENCE: Clean Harbors's October 13, 2008 comments on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Permit Condition VI.G.6.a, Page 62.

COMMENT: The current Operating and Post-Closure Permits' submittal dates for Semi-Annual and Annual Groundwater Reports are September 1 and March 1, respectively of each calendar year. The annual report also includes the semi-annual reporting requirements. The current semi-annual report covers the first two quarters (ex: first and second quarters) not just one quarter as the referenced section of the subject draft permit. The annual report covers the last two quarters (ex: third and fourth) as well as the entire calendar year. As stated above, the Facility has a site-wide groundwater monitoring and corrective action program not one specific area. It appears based on the current draft language that separate reports maybe required. It is our opinion that this requirement is redundant, cumbersome, and could be conflicting. We recommend that the subject permit language be changed to the current reporting frequency and due dates of September 1 and March 1 in order to avoid conflict with our other permits.

Also reference comment to permit section VI.J.4. below. Semi-annual reporting requirements similar to what we are currently doing are described in this section also. Another alternative recommendation would be to drop the language in Section VI.G.6.a., on page 62 and utilize the requirements of this section.

LDEQ RESPONSE: The LDEQ acknowledges the above comment and concurs. Permit Condition VI.G.6.a has been revised to address the above comments concerning the submittal of groundwater reports. No Change to Permit Condition VI.J.4 is required.

ACTION: Permit Condition VI.G.6.a was revised to "Semi-annual groundwater monitoring reports containing the information requirements of GWSAP and LAC 33:V.3317 and 3319 shall be submitted to the Administrative Authority as follows:

- Semi-annual groundwater monitoring reports containing data and information (i.e. statistical results, maps, etc.) shall be submitted to the Administrative Authority on or before the end of the month following the end of the semi-annual sampling event, in accordance with LAC 33:V.3317 and 3319. Submittal timeframes for groundwater monitoring data and reports related to groundwater monitoring are provided below:

SEMI-ANNUAL EVENT	MONITORING REPORT DUE DATE
FIRST QUARTER	SEPTEMBER 1
THIRD QUARTER	MARCH 1

- The transmittal letter accompanying the semi-annual groundwater monitoring report shall identify the date that the Permittee received the completed analytical data (including electronic deliverables) from the laboratory as well as the determination date.”

RESPONSIVENESS SUMMARY

CLEAN HARBORS BATON ROUGE, LLC
HAZARDOUS WASTE OPERATING RENEWAL PERMIT
LAD 010 395 127
AGENCY INTEREST NO. 1516

ITEM: 11

REFERENCE: Clean Harbors's October 13, 2008 comments on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Permit Condition VI.G.6.b, Page 63.

COMMENT: Currently the facility does the semi-annual groundwater sampling during the first and third quarters of each calendar year. Also Section VI. Tables 2 and 3 also reflect this sampling event timing. We recommend that the language be changed to the first and third quarters to correct this discrepancy. We also assume that the current language implies that the timing can be changed in the future with prior approval from the Administrative Authority and will not require the submittal of a permit modification.

LDEQ RESPONSE: The LDEQ acknowledges the above comment and concurs. Permit Condition VI.G.6.b has been revised to indicate the semi-annual groundwater sampling events.

ACTION: Permit Condition VI.G.6.b was revised to "It is anticipated that semi-annual groundwater monitoring events will occur during the first and third quarters of each year. The sampling quarters are subject to change as conditions dictate, with prior approval from the Administrative Authority."

RESPONSIVENESS SUMMARY

CLEAN HARBORS BATON ROUGE, LLC
HAZARDOUS WASTE OPERATING RENEWAL PERMIT
LAD 010 395 127
AGENCY INTEREST NO. 1516

ITEM: 12

REFERENCE: Clean Harbors's October 13, 2008 comments on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Permit Condition VI.J.4, Page 67.

COMMENT: This section outlines the requirements for the semi-annual groundwater report. These are consistent with what is currently required by the Facility's operating and post-closure permits. There are also requirements outlined under Section VI.G.6.a (see above) that are different. We recommend changes to Section VI.G.6.a, above to be consistent with VI.J.4. and/or dropping Section VI.G.6.a in its entirety.

LDEQ RESPONSE: The LDEQ acknowledges the above comment but does not concur. Permit Condition VI.G.6.a and VI.G.6.b have been revised. Permit Condition VI.J.4 is consistent with all revisions.

ACTION: No action to the permit is necessary. The permit has not been revised.

RESPONSIVENESS SUMMARY

CLEAN HARBORS BATON ROUGE, LLC
HAZARDOUS WASTE OPERATING RENEWAL PERMIT
LAD 010 395 127
AGENCY INTEREST NO. 1516

ITEM: 13

REFERENCE: Clean Harbors's October 13, 2008 comments on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Permit Condition VIII, Page 95 and Appendix 1, Page 127.

COMMENT: Section VIII of the draft permit describes the steps in the Corrective Action Strategy as an alternate corrective action approach that can be implemented at any phase of corrective action for a release area. Appendix 1 attached to this section gives an overview of the ongoing Corrective Action at the Facility. As discussed in this Appendix, the LDEQ has approved the Final Remedy(s) for the Facility and the Facility has submitted a Corrective Measures Implementation Workplan for implementing the Final Remedy(s). Section titled CAS Process in Appendix 1 states the following "Clean Harbors Baton Rouge, LLC will enter the CAS process at the following stages:

Submit Notice of Intent to request use of the CAS...through the listed sequenced phases of CAS."

As described in Appendix 1 Sections above this one, the Facility is beyond these steps. These sequenced steps should only be required if new areas are identified or releases occur that are unrelated to those currently identified. If the intent is to incorporate the current corrective action program into the CAS then we recommend that language be added that will clarify which step/phase we will enter the CAS program. It appears based on the phases listed that we are beyond the Remedial Alternatives Study and Risk Management Plan and are not petitioning for No Further Action at this time. Rather we are awaiting on the review and approval of the Corrective Measures Implementation Workplan so that the Final Remedy(s) can be implemented. We request that language be added to this section of the permit to clarify where we are in the CAS program.

LDEQ RESPONSE: The LDEQ acknowledges the above comment and concurs. Clarification on the CAS program equivalency has been added to Appendix 1.

ACTION: Permit Condition VIII, Appendix 1 was revised to "The LDEQ issued an

Administrative Order to Clean Harbors Baton Rouge, LLC, dated December 3, 2003, and an Addendum to the Administrative Order, dated January 1, 2004, for the Corrective Measures Implementation (CMI) Work Plan that would also provide details on implementing the Final Remedy Selection discussed above.

Clean Harbors Baton Rouge Facility will begin the implementation of the Corrective Action Strategy (CAS) with the implementation of the CMI Work Plan, once approved by the Administrative Authority. The CMI Work Plan is equivalent to the submittal of a "Remedial Alternative Study (RAS) under the CAS."

RESPONSIVENESS SUMMARY

CLEAN HARBORS BATON ROUGE, LLC HAZARDOUS WASTE OPERATING RENEWAL PERMIT LAD 010 395 127 AGENCY INTEREST NO. 1516

ITEM: 14

REFERENCE: Ms. Juanita Stewart's comments voiced during the October 9, 2008 Public Hearing on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Concerns about the operations (specifically the incinerator and the landfill) at the Clean Harbors Baton Rouge Facility.

COMMENT: My question is how are they going to operate this landfill?
Some people see white powder dust on their cars and houses. Are you burning anything over there?

LDEQ RESPONSE: The LDEQ acknowledges the above comment and provides the following information:

The incinerator, operated by Rollins Environmental Services, Inc. was closed in 1999. The incinerator has been dismantled and removed.

Clean Harbors Baton Rouge Facility operates landfill 904. This landfill has limited space available. The life expectancy of the landfill is approximately 500 cubic yards. Clean Harbors will use the remaining capacity for onsite generated waste only. After final closure, the Permittee must comply with all post-closure requirements contained in LAC 33:V.3519-3527, including maintenance and monitoring throughout the post-closure care period (specified in the permit under LAC 33:V.3521.A.1).

The Permittee shall comply with air emission control requirements under LAC 33:V.Chapter 17.Subchapter C for the Tank 7002 (South Mix Pit) system. These air emission controls shall consist of: a permanent total enclosure; a closed-vent system; a Thermal Oxidizer (TO).

The commenter has not referenced documentation to support the allegation that the particles and odors in the air are associated with activities at the Clean Harbors Baton Rouge Facility. In addition, the commenter has not referenced any specific documentation containing date, time, or location regarding such events. The LDEQ has reviewed the

administrative record for the Clean Harbors Baton Rouge Facility (AI#1516) for the period of January 1, 2006 to the present. During the review, no documentation of any such complaint was found; therefore, the LDEQ is unable to respond further with respect to this particular allegation.

In the future, the LDEQ encourages all citizens to report such observed occurrences in a timely manner to the proper authorities for investigation and follow-up. Citizens should first contact their local authorities (police, sheriff, fire department, etc...) in the event of an environmental emergency. Otherwise, environmental concerns (e.g., spills, releases, odors, fish kills, open burning, waste tires, etc.) can also be reported to the LDEQ's Single Point of Contact (SPOC) during business hours, 8 a.m. - 4:30 p.m., Monday through Friday, by calling 225-219-3640 or Toll Free 1-888-763-5424, or at the LDEQ's website at www.deq.louisiana.gov/portal/tabid/82/Default.aspx. To report a concern outside of business hours call 225-342-1234 or the toll free number.

ACTION:

No action to the permit is necessary. The permit has not been revised.

RESPONSIVENESS SUMMARY

**CLEAN HARBORS BATON ROUGE, LLC
HAZARDOUS WASTE OPERATING RENEWAL PERMIT
LAD 010 395 127
AGENCY INTEREST NO. 1516**

ITEM: 15

REFERENCE: Mr. Ahmand Ali Furquan's comments voiced during the October 9, 2008 Public Hearing on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Concerns about the landfill and the air around the Clean Harbors Baton Rouge Facility.

COMMENT: We have too many landfills in our neighborhood today. We do not want this type landfill operations going on.

The air there is not clean. At nighttime, we have particles that float in the air.

LDEQ RESPONSE: The LDEQ acknowledges the above comment and provides the following information:

Clean Harbors Baton Rouge Facility operates landfill 904. This landfill has limited space available. The life expectancy of the landfill is approximately 500 cubic yards. Clean Harbors will use the remaining capacity for onsite generated waste only. After final closure, the Permittee must comply with all post-closure requirements contained in LAC 33:V.3519-3527, including maintenance and monitoring throughout the post-closure care period (specified in the permit under LAC 33:V.3521.A.1).

The Permittee shall monitor for proper operation: pumps in light service, LAC 33:V.1719.A; compressors, LAC 33:V.1721; pressure relief devices in gas/vapor service, LAC 33:V.1723; open-ended valves or lines, LAC 33:1727; valves in gas/vapor service or in light liquid service, LAC 33:V.1737; and pumps and valves in heavy liquid service, pressure relief devices in light liquid or heavy liquid service, and flanges and other connectors, LAC 33:V.1731.

The Permittee shall comply with air emission control requirements under LAC 33:V.Chapter 17.Subchapter C for the Tank 7002 (South Mix Pit) system. These air emission controls shall consist of: a permanent total enclosure; a closed-vent system; a Thermal Oxidizer (TO).

The commenter has not referenced documentation to support the allegation that the "particles that float in the air" are associated with activities at the Clean Harbors Baton Rouge Facility. In addition, the commenter has not referenced any specific documentation containing date, time, or location regarding such events. The LDEQ has reviewed the administrative record for the Clean Harbors Baton Rouge Facility (AI#1516) for the period of January 1, 2006 to the present. During the review, no documentation of any such complaint was found; therefore, the LDEQ is unable to respond further with respect to this particular allegation.

In the future, the LDEQ encourages all citizens to report such observed occurrences in a timely manner to the proper authorities for investigation and follow-up. Citizens should first contact their local authorities (police, sheriff, fire department, etc...) in the event of an environmental emergency. Otherwise, environmental concerns (e.g., spills, releases, odors, fish kills, open burning, waste tires, etc.) can also be reported to the LDEQ's Single Point of Contact (SPOC) during business hours, 8 a.m. - 4:30 p.m., Monday through Friday, by calling 225-219-3640 or Toll Free 1-888-763-5424, or at the LDEQ's website at www.deq.louisiana.gov/portal/tabid/82/Default.aspx. To report a concern outside of business hours call 225-342-1234 or the toll free number.

ACTION: No action to the permit is necessary. The permit has not been revised.

RESPONSIVENESS SUMMARY

**CLEAN HARBORS BATON ROUGE, LLC
HAZARDOUS WASTE OPERATING RENEWAL PERMIT
LAD 010 395 127
AGENCY INTEREST NO. 1516**

ITEM: 16

REFERENCE: Mr. Willie Ferguson's comments voiced during the October 9, 2008 Public Hearing on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Concerns about the landfill and the air around the Clean Harbors Baton Rouge Facility.

COMMENT: We are always contending with a lot of stuff in the air and the smell. We're just against the landfill.

LDEQ RESPONSE: The LDEQ acknowledges the above comment and provides the following information:

Clean Harbors Baton Rouge Facility operates landfill 904. This landfill has limited space available. The life expectancy of the landfill is approximately 500 cubic yards. Clean Harbors will use the remaining capacity for onsite generated waste only. After final closure, the Permittee must comply with all post-closure requirements contained in LAC 33:V.3519-3527, including maintenance and monitoring throughout the post-closure care period (specified in the permit under LAC 33:V.3521.A.1).

The Permittee shall monitor for proper operation: pumps in light service, LAC 33:V.1719.A; compressors, LAC 33:V.1721; pressure relief devices in gas/vapor service, LAC 33:V.1723; open-ended valves or lines, LAC 33:1727; valves in gas/vapor service or in light liquid service, LAC 33:V.1737; and pumps and valves in heavy liquid service, pressure relief devices in light liquid or heavy liquid service, and flanges and other connectors, LAC 33:V.1731.

The Permittee shall comply with air emission control requirements under LAC 33:V.Chapter 17.Subchapter C for the Tank 7002 (South Mix Pit) system. These air emission controls shall consist of: a permanent total enclosure; a closed-vent system; a Thermal Oxidizer (TO).

The commenter has not referenced documentation to support the allegation that the particles in the air and odors are associated with activities at the Clean Harbors Baton Rouge Facility. In addition, the commenter has not referenced any specific documentation containing date, time, or location regarding such events. The LDEQ has reviewed the administrative record for the Clean Harbors Baton Rouge Facility (AI#1516) for the period of January 1, 2006 to the present. During the review, no documentation of any such complaint was found; therefore, the LDEQ is unable to respond further with respect to this particular allegation.

In the future, the LDEQ encourages all citizens to report such observed occurrences in a timely manner to the proper authorities for investigation and follow-up. Citizens should first contact their local authorities (police, sheriff, fire department, etc...) in the event of an environmental emergency. Otherwise, environmental concerns (e.g., spills, releases, odors, fish kills, open burning, waste tires, etc.) can also be reported to the LDEQ's Single Point of Contact (SPOC) during business hours, 8 a.m. - 4:30 p.m., Monday through Friday, by calling 225-219-3640 or Toll Free 1-888-763-5424, or at the LDEQ's website at www.deq.louisiana.gov/portal/tabid/82/Default.aspx. To report a concern outside of business hours call 225-342-1234 or the toll free number.

ACTION: No action to the permit is necessary. The permit has not been revised.

RESPONSIVENESS SUMMARY

**CLEAN HARBORS BATON ROUGE, LLC
HAZARDOUS WASTE OPERATING RENEWAL PERMIT
LAD 010 395 127
AGENCY INTEREST NO. 1516**

ITEM: 17

REFERENCE: Ms. Ernestine J. Washington's comments voiced during the October 9, 2008 Public Hearing on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Concerns about the operations (specifically the incinerator and the landfill) at the Clean Harbors Baton Rouge Facility.

COMMENT: A concern for this landfill being in that particular area. I do share concerns of the effects that the operation could and would have on the residents.

LDEQ RESPONSE: The LDEQ acknowledges the above comment and provides the following information:

The incinerator, operated by Rollins Environmental Services, Inc. was closed in 1999. The incinerator has been dismantled and removed.

Clean Harbors Baton Rouge Facility operates landfill 904. This landfill has limited space available. The life expectancy of the landfill is approximately 500 cubic yards. Clean Harbors will use the remaining capacity for onsite generated waste only. After final closure, the Permittee must comply with all post-closure requirements contained in LAC 33:V.3519-3527, including maintenance and monitoring throughout the post-closure care period (specified in the permit under LAC 33:V.3521.A.1).

ACTION: No action to the permit is necessary. The permit has not been revised.

RESPONSIVENESS SUMMARY

**CLEAN HARBORS BATON ROUGE, LLC
HAZARDOUS WASTE OPERATING RENEWAL PERMIT
LAD 010 395 127
AGENCY INTEREST NO. 1516**

ITEM: 18

REFERENCE: Ms. Alice Cage's comments voiced during the October 9, 2008 Public Hearing on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Concerns about the landfill at the Clean Harbors Baton Rouge Facility.

COMMENT: We got the landfill when it was Rollins – the site became a dump.

LDEQ RESPONSE: The LDEQ acknowledges the above comment and provides the following information:

Clean Harbors Baton Rouge Facility operates landfill 904. This landfill has limited space available. The life expectancy of the landfill is approximately 500 cubic yards. Clean Harbors will use the remaining capacity for onsite generated waste only. After final closure, the Permittee must comply with all post-closure requirements contained in LAC 33:V.3519-3527, including maintenance and monitoring throughout the post-closure care period (specified in the permit under LAC 33:V.3521.A.1).

ACTION: No action to the permit is necessary. The permit has not been revised.

RESPONSIVENESS SUMMARY

**CLEAN HARBORS BATON ROUGE, LLC
HAZARDOUS WASTE OPERATING RENEWAL PERMIT
LAD 010 395 127
AGENCY INTEREST NO. 1516**

ITEM: 19

REFERENCE: Ms. Maudie Patton's comments voiced during the October 9, 2008 Public Hearing on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Concerns about the landfill and the smells/air around the Clean Harbors Baton Rouge Facility.

COMMENT: I smell a smell 24 hours a day, seven days a week.

LDEQ RESPONSE: The LDEQ acknowledges the above comment and provides the following information:

Clean Harbors Baton Rouge Facility operates landfill 904. This landfill has limited space available. The life expectancy of the landfill is approximately 500 cubic yards. Clean Harbors will use the remaining capacity for onsite generated waste only. After final closure, the Permittee must comply with all post-closure requirements contained in LAC 33:V.3519-3527, including maintenance and monitoring throughout the post-closure care period (specified in the permit under LAC 33:V.3521.A.1).

The Permittee shall monitor for proper operation: pumps in light service, LAC 33:V.1719.A; compressors, LAC 33:V.1721; pressure relief devices in gas/vapor service, LAC 33:V.1723; open-ended valves or lines, LAC 33:V.1727; valves in gas/vapor service or in light liquid service, LAC 33:V.1737; and pumps and valves in heavy liquid service, pressure relief devices in light liquid or heavy liquid service, and flanges and other connectors, LAC 33:V.1731.

The Permittee shall comply with air emission control requirements under LAC 33:V.Chapter 17.Subchapter C for the Tank 7002 (South Mix Pit) system. These air emission controls shall consist of: a permanent total enclosure; a closed-vent system; a Thermal Oxidizer (TO).

The commenter has not referenced documentation to support the allegation that the particles and odors in the air are associated with activities at the Clean Harbors Baton Rouge Facility. In addition, the commenter has not referenced any specific documentation containing date, time, or location regarding such events. The LDEQ has reviewed the administrative record for the Clean Harbors Baton Rouge Facility (AI#1516) for the period of January 1, 2006 to the present. During the review, no documentation of any such complaint was found; therefore, the LDEQ is unable to respond further with respect to this particular allegation.

In the future, the LDEQ encourages all citizens to report such observed occurrences in a timely manner to the proper authorities for investigation and follow-up. Citizens should first contact their local authorities (police, sheriff, fire department, etc...) in the event of an environmental emergency. Otherwise, environmental concerns (e.g., spills, releases, odors, fish kills, open burning, waste tires, etc.) can also be reported to the LDEQ's Single Point of Contact (SPOC) during business hours, 8 a.m. - 4:30 p.m., Monday through Friday, by calling 225-219-3640 or Toll Free 1-888-763-5424, or at the LDEQ's website at www.deq.louisiana.gov/portal/tabid/82/Default.aspx. To report a concern outside of business hours call 225-342-1234 or the toll free number.

ACTION: No action to the permit is necessary. The permit has not been revised.

RESPONSIVENESS SUMMARY

**CLEAN HARBORS BATON ROUGE, LLC
HAZARDOUS WASTE OPERATING RENEWAL PERMIT
LAD 010 395 127
AGENCY INTEREST NO. 1516**

ITEM: 20

REFERENCE: Ms. Ernestine Washington's comments voiced during the October 9, 2008 Public Hearing on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Concerns about the landfill at the Clean Harbors Baton Rouge Facility.

COMMENT: What I would like to know is, is the proposal available to me, or anyone at this meeting, of the intent of the operation of this landfill so that it could be better understood what is being proposed and what it consists of? Is that available to us here?

LDEQ RESPONSE: The LDEQ acknowledges the above comment and provides the following information:

Clean Harbors Baton Rouge Facility operates landfill 904. This landfill has limited space available. The life expectancy of the landfill is approximately 500 cubic yards. Clean Harbors will use the remaining capacity for onsite generated waste only. After final closure, the Permittee must comply with all post-closure requirements contained in LAC 33:V.3519-3527, including maintenance and monitoring throughout the post-closure care period (specified in the permit under LAC 33:V.3521.A.1).

The Clean Harbors Baton Rouge, LLC Revised Operating Permit Renewal Application and all pertinent information related to the facility and this permit renewal is available for public review at the LDEQ, Public Records Center, Room 127, 602 North 5th Street, Baton Rouge, LA. Viewing hours are from 8:00 a.m. to 4:30 p.m., Monday through Friday (except holidays). The available information can also be accessed electronically on the Electronic Document Management System (EDMS) on the DEQ public website at www.deq.louisiana.gov.

An additional copy may be reviewed at the East Baton Rouge Parish Library, Scotlandville Branch, 7373 Scenic Highway, Baton Rouge, Louisiana 70807.

ACTION: No action to the permit is necessary. The permit has not been revised.

RESPONSIVENESS SUMMARY

**CLEAN HARBORS BATON ROUGE, LLC
HAZARDOUS WASTE OPERATING RENEWAL PERMIT
LAD 010 395 127
AGENCY INTEREST NO. 1516**

ITEM: 21

REFERENCE: The LDEQ's comment on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Clarification on the re-characterization of waste.

COMMENT: The LDEQ should clarify the language in III.C.3 pertaining to requirements for annual re-characterization of waste.

LDEQ RESPONSE: The LDEQ acknowledges the need to revise the language in Permit Condition III.C.3. Specifically, the requirement for re-characterization of all groundwater samples has been removed.

ACTION: Permit Condition III.C.3 has been revised to state "The Permittee shall, at a minimum, annually re-characterize all hazardous waste streams shipped off-site or treated on-site."